U.S. DEPARTMENT OF JUSTICE
Criminal Division
Asset Forfeiture and Money Laundering Section

Quick Release

A Monthly Survey of Federal Forfeiture Cases

Volume 9, No.12

December 1996

Excessive Fines

- **Tenth Circuit declines to adopt a single standard for 8th Amendment cases; "instrumentality," "proportionality" and "harshness" factors should all be considered and given weight according to the facts of the case.**

- **Forfeitures and other penalties imposed by state authorities should not be considered in the federal court's Eighth Amendment analysis.**

The **Tenth Circuit** has announced a test intended to govern challenges to forfeitures under the Excessive Fines Clause of the Eighth Amendment. Declining to a adopt a "one size fits all" standard, the court, like the Sixth Circuit in *United States* v. *Certain Real Property . . . 11869 Westshore Drive*, 70 F.3d 923 (6th Cir. 1995), reviewed the case law from the other circuits and directed the district courts to weigh the various factors to fit the facts in a given case.

The claimants, a married couple, met with undercover officers and agreed to buy three kilograms of cocaine for $45,000. They requested that the exchange take place at their residence because they had $39,000 in cash stored there. When the officers arrived, the husband presented them with a brown paper bag containing $39,000 in currency. The claimants were arrested. A consent search led to the recovery of an additional $21,900 in currency concealed in the house and a police scanner on which two frequencies used by DEA were marked.

The claimants were convicted in state court and sentenced to terms of imprisonment. Approximately $56,000 and the police scanner were forfeited to the state. In addition, the federal government sought to forfeit the couple's home, in which they resided with their four children (three of whom were minors), under 21 U.S.C. § 881(a)(7). Summary judgment of forfeiture was granted and the couple appealed, challenging the forfeiture under the Excessive Fines Clause.

The Tenth Circuit affirmed the forfeiture. Reviewing post-Austin circuit court case law, the court concluded that the majority of circuits follow a two-step process in Eighth Amendment cases. First, an "instrumentality" or "nexus" test is applied with the burden being placed on the government to prove that the necessary connection exists. Second, a "proportionality" test -- comparing the severity of the offense, the harshness of the sanction, and the culpability of the claimant -- is applied with the burden being placed on the claimant.

The court adopted this two-step approach. Under the first step, the government must show a connection between the property and the offense that is more than merely incidental or fortuitous. If this "instrumentality" test is satisfied, the claimant must then show that the forfeiture is "grossly disproportionate in light of the totality of the circumstances." In evaluating the harshness of the sanction, the relevant factors include the value of the property being forfeited, its function, and any other sanctions imposed on the claimants by the sovereign seeking the forfeiture. Against this, the court must consider the severity of the offense, taking into account the extent of both the claimant's and the property's role in the offense, the nature and scope of the illegal activity at issue, the personal benefit reaped by the claimant, the value of any contraband involved in the offense, and the maximum sanction Congress has authorized for the offense.

The court emphasized, however, that it was not proscribing one standard to apply to all cases. "[W]e agree with the Sixth Circuit that these cases are 'factually intensive,' and we decline to prescribe a one-size-fits-all test or a weighting for the factors."

The court then applied its test to the facts of the case, giving the greatest weight to the nexus between the property and the offense and less weight to the harshness of the sanction. As to the harshness factor, the court recognized that the "forfeiture will displace the Claimants' three minor children from their family home," but it held that it also had to consider "the Claimants' deliberate and knowing use of the home in the criminal activity which gave rise to the forfeiture." As to the nexus factors, the court noted the following:

Both the Claimants and their residence were involved in activities which violate the Controlled Substances Act. The Claimants requested that the exchange of drugs and money occur at their home, where they secreted large sums of cash and operated a scanner monitoring Drug Enforcement Agency activities. The presence of the scanner and the storage of cash—typical tools of the drug trade, suggests continuous use of the property in criminal activities, not just an isolated incident.

In light of this evidence, the court concluded that the forfeiture did not violate the Excessive Fines Clause.

Claimants suggested that the court should also take into account the criminal penalties and forfeiture imposed by the State; but the court said the state action was irrelevant: "[t]he Constitution does not bar the federal government from proscribing activities or conduct which a state has also prohibited." *HSH/SDC*

United States v. 829 Calle de Madero, ___ F.3d ___, 1996 WL 654444 (10th Cir. Nov. 12, 1996). Contact: AUSA Stephen R. Kotz, ANM01(skotz).

Comment: AFMLS continues to advocate an "instrumentality" standard and probably will continue to do so until the Supreme Court clarifies the case law. Government counsel must, of course, argue the controlling standard in their respective circuits. But, in doing so, they should note an objection to the "proportionality" factors commonly relied upon (e.g., value of the property, value of the contraband, any personal benefit reaped by the defendant, the intrinsic value or legitimate "function" of the property) and argue that such considerations should be afforded relatively lesser weight than the "instrumentality" factors. The basis for this objection and argument may be found in the DOJ publication Government Response to Forfeiture Challenges Under the Excessive Fines Clause in Light of Austin/Alexander (Jan. 1994) and subsequent case-law outlines available on the Asset Forfeiture

Bulletin Board or from AFMLS. By preserving such objections and making such arguments, government counsel will greatly facilitate appellate review of the appropriate standard for adjudicating challenges to forfeitures under the Excessive Fines Clause.

This decision clarifies one issue that thus far has not been directly addressed. It holds that criminal sanctions imposed by one sovereign (e.g., a state) should have no bearing in adjudicating the excessiveness of a forfeiture imposed by another sovereign (e.g., the federal government). AFMLS opposes consideration of any criminal sanctions imposed against an owner as part of the "excessiveness" determination because, *inter alia*, forfeiture serves to enforce interests entirely different and distinct from those served by standard criminal sanctions. But to the extent circuit law requires that such sanctions be considered, we believe the rule stated in *892 Calle de Madero* -- essentially adopting the "dual sovereignty" doctrine of double jeopardy law -- is entirely correct.

As noted, the Tenth Circuit panel declined to adopt what it called a one-size-fits-all test, opting instead to weigh the various factors in accordance with the facts of the particular case. In *892 Calle de Madero*, the court reviewed all of the factors including the harshness of the forfeiture (i.e. the effect on minor children of the loss of the family home) and the value of the property in comparison to the value of the drugs sold and the maximum available fine. But the court clearly placed the most weight on the instrumentality or "nexus" factors. On the same day, a separate panel of the Tenth Circuit applied the *Calle de Madero* test in another case, this time placing the greatest weight on the proportionality factor, i.e. the value of the property compared with the maximum available fine. *See Lot 85, infra.* *HSH/SDC*

Adoptive Forfeiture / Excessive Fines / *Good* Violation / *In Rem* Jurisdiction

- **Federal forfeiture action may be initiated before state forfeiture is dismissed as long as the actual seizure of the property does not occur until after the state court has relinquished jurisdiction.**

- **Dismissal of a forfeiture action is not the proper remedy for a *Good* violation; so long as no evidence obtained during the illegal seizure is used against the claimant, and all rents accruing during the period of illegal seizure are returned to the property owner, no error has occurred.**

- **Tenth Circuit compares the value of the property to the maximum fine to determine whether a forfeiture violates the Excessive Fines Clause.**

A court-authorized wiretap on claimant's residential telephone picked up 154 telephone conversations involving drugs or drug use over a two week period; 94 of the conversations involved actual drug transactions. Claimant was arrested and convicted on drug charges in both state and federal court.

During the pendency of the criminal prosecutions, state authorities initiated a civil forfeiture action against claimant's house, car, and a sum of currency. After the state Supreme Court ruled that homestead property was exempt from forfeiture under state law, however, the State voluntarily dismissed its forfeiture action against the real property. Four days later, the lot was seized by federal authorities.

The timing of the dismissal of the state action and the initiation of the federal case was important: the federal forfeiture complaint was filed and a seizure warrant was issued before the real property had been dismissed from the state action. The property was seized thereafter, but the state case was temporarily revived to correct a procedural error only to be dismissed again while the federal case was pending. Because of this overlap in the state and federal cases, Claimant moved to dismiss the federal action on grounds that exercise of federal jurisdiction violated the "concurrent jurisdiction" doctrine.

Claimant also objected to the forfeiture on grounds that the property was seized without notice and an opportunity to be heard, in violation of the Supreme Court's decision in *United States v. James Daniel Good*, and that the forfeiture of the residence violated the Excessive Fines Clause.

The **Tenth Circuit** rejected all three arguments. The "concurrent jurisdiction" doctrine, the court said, holds that where two courts seek to assert *in rem* jurisdiction over the same item of property, the court first court asserting jurisdiction has the power to resolve the case without interference from, or deference to, the other court. This rule, however, did not apply in this case because the two tribunals were not simultaneously competing for jurisdiction over the real property.

When the state court entered the original motion to dismiss, it affirmatively relinquished both its jurisdiction over the real property and its authority to prevent a federal court from asserting *in rem* jurisdiction over the property. The filing of a federal forfeiture complaint and issuance of a federal court order authorizing seizure of the real property prior the original dismissal of the property from the state court action did not contravene the doctrine because the federal seizure did not occur until after the State had relinquished jurisdiction.

The subsequent revival of the state action did not require a different result. At the time the federal court exercised jurisdiction over the property, the state action had been dismissed. To give retroactive effect to the order reviving the state action would create the potential for the "unseemly and disastrous conflicts in the administration of our dual judicial system" that the concurrent jurisdiction rule seeks to avoid. Thus, the district court properly exercised *in rem* jurisdiction over the residence.

Second, the court held that seizure of the real property in violation of *United States v. James Daniel Good*, did not require dismissal of the forfeiture action. Evidence obtained as a result of the illegal seizure must be suppressed and the government must return any rents accruing during the period of the illegal seizure. However, no evidence was obtained nor did any rents accrue in this case.

Finally, the court held that forfeiture of the real property did not violate the Excessive Fines Clause under the standard enunciated in *892 Calle de Madero*. (See previous case.) Focusing primarily on the "proportionality prong" of the test, the court compared the value of the property ($158,000) with the seriousness of the offense. Noting that Congress has authorized penalties of up to $2,000,000 for the crimes Claimant had committed, the court held that the forfeiture was not disproportionate and thus did not violate the Eighth Amendment. *HSH/RMJ*

United States v. One Parcel Property Located at Lot 85, ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996). Contact: AUSA Michael G. Christensen, AKS01(mchriste).

Comment: The standard applied by the panel in resolving the challenge under the Excessive Fines Clause is discussed in the commentary to *892 Calle de Madero, supra.* The panel's holding on the "concurrent jurisdiction" doctrine is also significant. The panel holds that the filing of a federal forfeiture complaint and the entry of a federal court order directing issuance of a seizure warrant do not offend the doctrine so long as the warrant goes unserved until after the state court (the "first-in-time court") relinquishes *in rem* jurisdiction. This holding should be helpful to federal agents and attorneys planning to seize property immediately upon its release from state court jurisdiction. *See also United States v. $490,920 in United States Currency*, 937 F. Supp. 249 (S.D.N.Y. 1996) (September 1996 *Quick Release*) (authorizing use of "anticipatory seizure warrants" for this purpose). *HSH*

Excessive Fines

☐ Applying Ninth Circuit's excessive fines test, court finds harshness of forfeiture of residence is outweighed by the claimant's direct role in the offense, the on-going nature of the offense, and the value of the property compared to the value of the drugs sold.

The government brought a civil forfeiture action under section 881(a)(7) against real property used for a "marijuana grow" operation. Claimants objected to the forfeiture on Eighth Amendment grounds.

The district court applied the excessive fines analysis articulated by the Ninth Circuit in *United States v. Real Property Located in El Dorado County*, 59 F.3d 974 (9th Cir. 1995). Under that test, the government must first show a substantial connection between the property and the offense. After that showing is made, the burden shifts to the claimants "to show that the forfeiture of their property would be grossly disproportionate" given the nature and extent of the criminal offense. In determining the "proportionality" or "harshness" of the forfeiture (the court used the terms interchangeably), the court must consider the fair market value of the property; the intangible, subjective value of the property (e.g. whether it is the family home); the hardship to the claimant, including the effect of the forfeiture on his family or financial condition; the seriousness of the offense (e.g. the amount and value of the drugs sold); and culpability of the claimant.

In evaluating these factors, the court recognized that the forfeiture would "work a hardship" on the claimants, but it was persuaded that the forfeiture was justified in light of the other factors. In particular, the court stressed the claimants' direct role in the offense, the on-going nature of the criminal activity, and the value of the property ($280,000) compared to the value of the marijuana produced and sold. With respect to the latter factor, the court noted that "the precise value of any black market item is always difficult to determine with precision, and the government should not be held to an exact standard." The parties disagreed as the value of the marijuana at

issue in this case, but assuming the value was somewhere in between the claimants' estimate ($90,000) and the government's ($280,000), the forfeiture of the real property could not be deemed "grossly disproportionate." *SDC*

United States v. Real Property Located in San Joaquin County at 12900 East Peltier Road, ___ F. Supp. ___, No. Civ. S-93-316 WBS\JFM (E.D. Cal. Nov. 6, 1996). Contact: AUSA Clare Nuechterlein, ACAE01(clnuecht).

Comment: Note that in computing the value of the house, the court included the value of certain personal property that was forfeited by state authorities in a separate state action. Thus, the court appeared to assume without deciding that forfeitures imposed in parallel, related proceedings by state authorities are relevant for purposes of the federal excessive fines analysis. *See 892 Calle de Madero, supra*, in which the Tenth Circuit held specifically that state forfeitures are irrelevant for purposes of the Eighth Amendment.

Also, note that courts around the country are using terms like "disproportionality" and "harshness" to mean different things. Some courts use "proportionality" to refer only to the economic comparison of the value of the property to the maximum fine or other pecuniary measure of the seriousness of the crime, while other courts, like this one, use the term generally to refer to all of the factors constituting the excessive fines analysis. Likewise, some courts use "harshness" to refer narrowly to the subjective impact of the forfeiture on the claimant, while others use "harshness" interchangeably with "proportionality" to refer to the overall excessiveness of the forfeiture sanction. *SDC*

Excessive Fines / Right to Counsel

- **District court in Oregon holds that the forfeiture of proceeds under section 981(a)(1)(C) does not violate the Eighth Amendment.**

- **There is no Sixth Amendment right to a jury trial in a civil forfeiture case.**

The government brought a civil forfeiture action against real property that was derived from proceeds traceable to a violation of 18 U.S.C. § 1014 (false statement to a financial institution). The forfeiture was brought under 18 U.S.C. § 981(a)(1)(C). In an earlier opinion, the court held that the claimant was not an innocent owner of the property, within the meaning of section 981(a)(2), because she had knowledge that the statements made on the loan application used to obtain the funds invested in the property were false. (*See November Quick Release.*)

In the subsequent opinion, the court addressed the claimants' constitutional objections to the forfeiture: 1) that the forfeiture was excessive under the Eighth

Amendment, and 2) that because the forfeiture was punitive, claimant was entitled to a jury trial under the Sixth Amendment.

The court rejected both challenges. Quoting *United States v. Feldman*, 853 F.3d 648, 663 (9th Cir. 1988), the court said that "it is hard to imagine how [the forfeiture of proceeds] could constitute cruel and unusual punishment." Second, noting that the Ninth Circuit has held that the Sixth Amendment right to counsel does not apply to civil forfeiture cases, *see United States v. $292,888.94*, 54 F.3d 564, 569 (9th Cir. 1995), the court held that there is no right to a jury trial in a civil forfeiture case under the Sixth Amendment. The is no mention in the opinion of the right to a jury trial in civil cases under the Seventh Amendment. *SDC*

United States v. 3814 NW Thurman Street, ___ F. Supp. ___, 1996 WL 663545 (D. Or. Nov. 4, 1996). Contact: AUSA Bob Nesler, AOR01(bnesler).

Ninth Circuit Denies Petition for Rehearing in *Bajakajian*

On November 18, 1996, the Ninth Circuit denied the government's petition for rehearing with suggestion for rehearing *en banc* in *United States v. Bajakajian*, 84 F.3d 334 (9th Cir. 1996), the case in which the panel held that forfeiture of any currency for violation of the CMIR reporting requirement violates the Excessive Fines Clause. *(See June Quick Release)*. Because the case effectively nullifies the statutes authorizing forfeiture in all currency reporting cases in the Ninth Circuit, and because there is a clear split in the circuits on this issue, it is anticipated that a request will be made to the Solicitor General to petition the Supreme Court to review the case. *HSH*

Criminal Forfeiture / Discovery / Ancillary Proceeding

☐ The sanction for refusal to comply with the government's discovery requests in the ancillary proceeding is dismissal of the third party's claim.

After the Bank of Credit and Commerce International (BCCI) entered a guilty plea to RICO charges in 1992, the district court entered an Order of Forfeiture against all of its assets in the United States. Included in the Order was approximately $800,000 held in the name of Banque de Commerce et de Placements (BCP), an entity the government regarded as BCCI's alter ego. BCP filed a claim alleging that it was not a related entity and that the forfeited property belonged to it, not to BCCI.

The United States answered the claim and asked the court to allow the parties to conduct discovery concerning the relationship between BCP and BCCI. The court granted the discovery request. Over the next two years, however, BCP served incomplete discovery responses, failed to appear for deposition, and sought extensions of deadlines, all without seeking protective orders or explaining its noncompliance with discovery. The United States conferred with BCP after each discovery default, but ultimately moved to dismiss BCP's claim three times.

In response to each motion, the court granted BCP more time to comply with discovery. After the third motion, the court warned BCP to comply with discovery or suffer the dismissal of its claim. When BCP failed again to appear for its deposition, the court dismissed the claim. A third party's failure to respond to the government's discovery requests, the court said, "blocks the United States' ability to litigate the merits of the [third party claim]," and impedes the Court's docket. "The sanction of dismissal offers the necessary deterrent to protect the integrity of the judicial system . . . ," the court said. "A less severe sanction would not be effective."

MLC

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Banque de Commerce et de Placements), ___ F.R.D. ___, 1996 WL 665618 (D.D.C. Nov. 7, 1996).
Contact: Michele Crawford, CRM07(crawform).

Law Review Article on Criminal Forfeiture

The November/December issue of the *Criminal Law Bulletin* contains an article entitled "Third Party Rights in Criminal Forfeiture Cases" by AFMLS Attorney Stefan Cassella. The article discusses a variety of third-party issues including the forfeiture of jointly-held property in a criminal case, the timing of third party challenges to orders of forfeiture, the right of third parties to object to pre-trial restraining orders, the role of the special verdict form in limiting criminal forfeitures to the defendant's property, and the rules governing the conduct of the ancillary proceeding. Copies of the article are available from AFMLS upon request.

Criminal Forfeiture / Ancillary Proceeding / General Creditors

- **General creditor has no specific interest in defendant's property until he reduces the debt to judgment.**

The court ordered the forfeiture of the defendant's real property following his conviction in a criminal case. Sunwest Bank filed a third-party petition in the ancillary proceeding contesting the forfeiture on the ground it had obtained a judgment lien against the forfeited property. The government moved to dismiss the petition for failure to state a claim under 21 U.S.C. § 853(n)(6)(A) or (B).

The case turned on the timing of the acquisition of the judgment lien. Under section 853(n)(6)(A), a third party claimant must establish that it had an interest in the forfeited property *at the time of the commission of the offense giving rise to the forfeiture.* Sunwest established only that the defendant owed it a debt which it had reduced to a judgment lien nearly a year after the commission of the offense. Therefore, at the time of the commission of the offense, Sunwest was only a general creditor of the defendant. Because a general creditor has no specific interest in the defendant's property, Sunwest had no claim under Section 853(n)(6)(A).

The court also rejected Sunwest's claim under section 853(n)(6)(B). Under that statute, a third party that acquires an interest in the forfeited property *after* the commission of the underlying criminal offense must show that it did so as a bona fide purchaser for value who was without reason to know that the property was subject to forfeiture. The court found, however, that Sunwest first took action to acquire an interest in the property after it received notice that the government had seized the property for forfeiture. Therefore, the claim under paragraph (B) failed. *SDC*

United States v. Curci, No. CR94-285R (W.D. Wash. Nov. 13, 1996). Contact: AUSA Richard E. Cohen, AWAW01(rcohen).

Criminal Forfeiture / Ancillary Proceeding / Bailment

- **The facts pleaded by petitioner failed to establish the existence of bailment under state law.**

- **Petitioner was an unsecured creditor of defendant when he wire transferred funds into defendant's bank account.**

Defendant was convicted of attempting to export chemical agent monitors from the United States to Iran (22 U.S.C. § 2778) and money laundering (18 U.S.C. § 1956(a)(2)(A)). He was sentenced to imprisonment and ordered to forfeit his interest in the $605,000 he received in exchange for the chemical agent monitors.

Petitioner was an Iranian national who was the source of the $605,000. When the money was forfeited, Petitioner filed a claim in the ancillary proceeding contending that the money belonged to him and should be returned. He argued that 1) Petitioner owned the funds and had merely loaned them to Defendant under terms of a loan agreement that were not yet finalized; 2) Defendant was merely the custodian of Petitioner's funds; 3) Petitioner was an unsecured creditor of Defendant; and 4) Defendant held the property in a constructive trust for Petitioner. The United States filed a motion to dismiss the petition for lack of standing and failure to state a claim for which relief could be granted. In an earlier ruling, the court granted the government's motion in part, dismissing the constructive trust and unsecured creditor claims; but the court allowed petitioner to replead the first claim as a bailment theory.

The United States once again moved to dismiss the petition, and the district court granted the motion dismissing the petition as insufficient as a matter of law.

The court observed that the petition did not indicate the requisite intent to create a bailment under state law. Petitioner wire transferred funds into the personal account of Defendant without restriction on Defendant's use of the funds, without arrangement for the return of the funds, and without specification of a purpose for the funds.

The court then rejected Petitioner's remaining alternative theory that Defendant was merely the custodian of his funds. The fact that Petitioner was the source of the funds does not, by itself, establish a vested legal interest. To support his claim, Petitioner needed to allege facts tending to establish that when he wire transferred his money to Defendant's bank account, he intended to maintain "the right of dominion" over the funds. This Petitioner failed to do.

Finally, the court observed that, in any event, once funds are deposited in a bank account, title to the funds passes from the depositor to the bank. Thus, the Petitioner could not have retained any interest in the $605,000. *LJW*

United States v. Felber, ___ F. Supp. ___, Cr. No. 94-60044 (D. Or. Oct. 29, 1996). Contact: AUSA Leslie J. Westphal, AOR01(LWESTPHA).

Comment: The court's holding regarding a depositor's standing to contest the forfeiture of funds in his bank account is discussed in the Comment following *United States v. $79,000, infra.*

Standing / Bailment / Constructive Trust / Money Laundering

☐ Individuals who deposited funds into a third party's account lack standing to contest the forfeiture of that account.

Nine individuals deposited a total of $79,000 into the same bank account in nine separate increments over a two-day period. Because each of the deposits was in an amount just under $10,000, the bank suspected that a structuring offense was taking place and filed a criminal referral form with the IRS. The government then seized the funds with a warrant issued under 18 U.S.C. § 981(b) and instituted civil forfeiture proceedings under section 981(a)(1)(A) and 31 U.S.C. § 5324(a)(3).

The account holder did not file a claim. He stated that he did not know the nine individual depositors, that the deposited funds did not belong to him, and that he had no objection to the forfeiture of the money. Each of the nine depositors, however, did file a claim. Each asserted that he was induced to make the deposit by a currency exchanger who represented that he would transmit the deposited funds to the depositors' relatives in Pakistan.

The government moved to dismiss the claims for lack of standing under Rule 12(f), Federal Rules of Civil Procedure. The claimants responded that the money belonged to them, not to the account holder, and that they were therefore entitled to assert their claims. The district court agreed with the government and dismissed all nine claims for lack of standing.

To establish standing, the court said, a claimant must establish that he had actual possession, title, dominion or control over the seized property. "The possessory or ownership interest must be in the specific forfeited property; unsecured creditors of the party whose property is seized do not have standing to challenge a forfeiture of their debtor's property."

In this case, when the claimants deposited their funds in the third party's bank account, they surrendered title and control over the funds to the account holder. Thus, even if, as claimants suggested, the account was intended to be a "special account" in which the deposited funds were segregated from the bank's other funds, the only person with title to and control over the funds was the account holder. So, the account holder might have had standing to contest the forfeiture, but the depositors did not.

The claimants responded that they would have standing as bailors if the deposit of their funds into the third party's account constituted a bailment. The court conceded that bailors have standing to contest the forfeiture of their funds, but it held that on the facts of this case, no bailment was created. Under state law, "a bailment cannot be created absent intent by the alleged bailee to create one." The account holder, of course, denied any knowledge of the deposits or the depositors. The claimants may have had a bailment agreement with the money exchanger; but the money exchanger and the account holder were different people. Thus, there could have been no bailment.

Third, the claimants argued that the account holder held their funds in constructive trust, and that they should have standing to contest the forfeiture as beneficiaries of that trust. The court noted that beneficiaries of a constructive trust do have standing to contest forfeiture actions in the Second Circuit. But it held that a constructive trust is an equitable remedy that should not be imposed where the beneficiary has an adequate remedy at law.

Here, the claimants retained the right to file petitions for remission and mitigation of forfeiture with the Attorney General pursuant to 18 U.S.C. § 981(d), which incorporates 19 U.S.C. § 1618. "Although claimants have not alleged the ownership interest required to contest the forfeiture judicially," the court said, "they have alleged a sufficient interest in the property to apply for remission or mitigation of the forfeiture."

Finally, claimants alleged that they had standing by virtue of a state interpleader statute that creates a procedure for resolving conflicting claims to the same funds. But, the court held, the state statute was irrelevant. "[C]laimants are litigating in a federal court under a federal forfeiture statute with its own standing requirements. A state statute with more liberal standing requirements is inapplicable under the Supremacy Clause." *SDC*

United States v. $79,000 in Account Number 2168050/6749900, 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished). Contact: AUSA Gary Stein, ANYS02(gstein).

Comment: In the course of its opinion, the district court discussed whether a depositor has standing to contest the forfeiture of funds deposited into an ordinary bank account (*i.e.* a general account). Like the district court in *Felber*, *supra*, the court held that when funds are deposited into a general account, title to the funds passes from the depositor to the bank. Thus, a depositor does not have standing to contest the forfeiture *of the funds he deposited.*

What the account holder receives in return for his deposit, of course, is a promise by the bank to pay a sum of money on demand. That promise to pay, or debt, is represented by the bank account. The account holder retains control over the account, of course, so when the government attempts to forfeit the account, *i.e.* the bank's promise to pay, the account holder has standing to contest the forfeiture. The situation would be different if instead of forfeiting the account, the government filed a forfeiture action against the bank itself and all of its capital, including the funds the depositors had deposited. In that case, because title to the deposited funds had passed to the bank, only the bank, and not the individual depositors, would have standing to contest the forfeiture. *See United States v. BCCI Holdings (Luxembourg) S.A. (Petition of Chawla)*, 46 F.3d 1185 (D.C. Cir. 1995), *cert.* denied, 115 S. Ct. 2613 (1995) (bank depositors lack standing to contest forfeiture of bank's assets where bank was the defendant in a criminal case).

This case is also noteworthy because it may be the only one to hold that there is a difference between the legal interest required to establish standing, and the interest required to file a remission petition under the Customs laws. Generally, the remission statute has been interpreted to require the assertion of an ownership interest.

SDC

Criminal Forfeiture / Seizure Warrant

- **Probable cause for a criminal seizure warrant under section 853(f) must be based on more than the inclusion of the property in the indictment.**

- **Court converts criminal seizure warrants to restraining orders because there was no reason to believe restraining orders would be inadequate to preserve the property.**

Defendants were indicted on numerous counts of money laundering under 18 U.S.C. §§ 1956 and 1957. The indictment contained two forfeiture counts under section 982 that named the property to be forfeited.

On the day the indictment was returned, the court issued 10 seizure warrants under 21 U.S.C. § 853(f) for bank accounts and automobiles that were described in the indictment. Defendants moved for the return of the seized property under Rule 41(e), arguing that the government lacked probable cause for the seizures, and that the government had failed to show that restraining orders would not have be adequate to preserve the property for forfeiture, as required by section 853(f).

With respect to nine of the seizure warrants, the court found that the affidavit submitted by the government as part of the application for the warrants

set forth adequate probable cause to believe that the property was subject to forfeiture. But the court found that the affidavit was lacking with respect to the tenth warrant. The government responded that even if the affidavit was insufficient, the inclusion of the property in the indictment was by itself sufficient to establish probable cause for the seizure.

The court disagreed. Section 853(f) warrants are governed by the same Fourth Amendment standards as other warrants. Thus, a criminal seizure warrant cannot be based solely on the fact that the property to be seized was named in an indictment returned by a grand jury; it must be based on facts that support an independent finding of probable cause by a judge or magistrate. Because the facts set forth in the affidavit submitted to the court failed to establish probable cause, the Rule 41(e) motion was granted as to the property seized pursuant to the tenth warrant.

The court then addressed Defendants' argument that the issuance of the seizure warrants was improper in the absence of any reason to believe that restraining orders would have been inadequate to preserve the bank accounts and automobiles for forfeiture. In support of its application for the warrants, the government stated only that the case agent believed that the defendants would abscond with the property if it were not seized. Characterizing this as merely the agent's "best guess" as to what would happen, the court found that the government had failed to demonstrate a reason to believe that a restraining order would be inadequate. Because section 853(f) requires such a showing, the court voided all nine of the seizure warrants. But the court immediately entered pre-trial restraining orders directing Defendants not to make any withdrawals from their bank accounts, and not to sell or encumber their automobiles. *SDC*

United States v. Walker, ___ F. Supp. ___, 1996 WL 640832 (D. Col. Nov. 1, 1996).
Contact: AUSA Bob Mydans, ACO01(bmydans).

Disposition of Property

❑ Disposition of forfeited property is the responsibility of the Attorney General; the court in which the forfeiture was entered may assist the Attorney General in this matter irrespective of the location of the property.

In a criminal case in the Southern District of Florida, the government forfeited, pursuant to 18 U.S.C. § 1963, the majority of a partnership that controlled a card club in California. Two of the other partners, dissatisfied with the government's plans to dispose of its interest, filed suit against the government in California state court. The government removed the state court cases to the federal court in the Central District of California and petitioned the Southern District of Florida court for an order directing the two dissatisfied partners to dismiss, or transfer to the Southern District of Florida, the suits that had been removed. The government also sought an order enjoining the two partners from any future such filings pending the conclusion of the case before the Southern District of Florida.

The Southern District of Florida court agreed with the government that the statutory scheme provided for the Attorney General to dispose of forfeited property with, pursuant to 18 U.S.C. § 1963(e) and (f), "the assistance of the court in which the forfeiture was entered irrespective of the location of the property." However, asserting that it was "not in the habit of enjoining other United States District

Courts," the Southern District of Florida court declined to enter the requested order and suggested that the government might more appropriately address its petition to the Central District of California court. *JGL*

United States v. Kramer, ___ F. Supp. ___, 1996 WL 612687 (S.D. Fla. Oct. 17, 1996). Contact: AUSA James Swain, AFLS01(JSWAIN).

Comment: The case is notable for its relatively rare discussion of 18 U.S.C. § 1963(e) and (f). However, the result, particularly given that the Southern District of Florida court had earlier ordered all claims growing out of the disposition of the property to be addressed in its courtroom, is strange. The government had not sought an injunction against the Central District of California court, as the decision implies, but rather against the two partners. Moreover, the district court for the Central District of California would be an unlikely forum in which to seek enforcement of an order issued by the Southern District of Florida -- particularly given the refusal of the Southern District of Florida to enforce that same order. *JGL*

Stay Pending Appeal

❑ **Stays pending appeal of forfeitures are not mandatory. Four-part test applicable to motion for stay pending appeal in other situations applies also to a 28 U.S.C. § 1355(c) motion for a stay pending appeal of a civil forfeiture order.**

Claimant corporation moved pursuant to 28 U.S.C. § 1355(c) for a stay pending its appeal of the district court's civil forfeiture order against its real property. The government and an unpaid mortgage holder opposed the stay. The district court pointed out that although section 1355(c) indicates that a court "shall" grant a stay, courts have refused to consider the provision mandatory. *See United States v. Various Tracts of Land in Muskogee and Cherokee Counties*, 74 F.3d 197, 198 (10th Cir. 14996); *In re the Seizure of All Funds in Accounts in the Names Registry Publishing*, 58 F.3d 855, 856 (2d Cir. 1995); *see also United States v. Fourteen Various Firearms*, 897 F. Supp. 271, 272 (E.D. Va. 1995). Citing the same cases, the court also applied the four "traditional" criteria for deciding motions for stays pending appeal generally. The court denied the motion for a stay because the claimant corporation had met none of the four criteria to be satisfied in order to obtain stay.

First, the claimant corporation had not demonstrated that it was likely to prevail on the merits. The court had already determined that it was not an innocent owner, but was controlled entirely by the person whose narcotics trafficking had subjected the premises to forfeiture.

Second, the claimant had failed to show that it would be irreparably harmed by denial of a stay. The claimant's assertion that it would be left without a remedy because no court would have jurisdiction over its claim if the property were sold contradicted the plain language in section 1355(c) that "removal of the property by the prevailing party shall not deprive the court of jurisdiction."

Third, the claimant could not show that other parties would not be harmed by the requested stay. The unpaid mortgage holder would continue to suffer losses from delays in the sale of the property if the forfeiture order was stayed.

Finally, claimant corporation could not show that the public interest favored a stay. It had not been paying the real estate taxes during the five years that the forfeiture action had been pending. *JHP*

United States v. Premises Known as 205 Daystrom Avenue, No. 91-CV-735 (M.D. Pa. November 15, 1996). Contact: AUSA John J. McCann APAM01(jmccann).

Short Notes

❑ Rule 41(e)

A district court held that it lacked subject matter jurisdiction over a Rule 41(e) motion for the return of seized property where the claimant received notice of the administrative forfeiture proceeding but failed to file either a claim and cost bond or a remission petition.

Zapata v. United States, 1996 WL 617369 (S.D.N.Y. Oct. 25, 1996). Contact: AUSA Evan T. Barr, ANYS02(ebarr).

❑ Administrative Forfeiture / Notice

Notice of an administrative forfeiture proceeding sent to claimant's residence, and received by his father, was inadequate where DEA knew the claimant was incarcerated and had his prison address in its files. The fact that DEA also published notice of the administrative forfeiture in *USA Today* did not alter the court's conclusion.

United States v. Combs, 1996 WL 583621 (9th Cir. Oct. 9, 1996) (Table Case). Contact: AUSA William Cullen, ACAC03(wcullen).

❑ Abatement

The district court dismissed a civil forfeiture complaint under 18 U.S.C. § 1955(d) on the ground that forfeiture is punitive and therefore abates on the death of the property owner. In an unpublished opinion, the **Ninth Circuit** reversed, holding that *Ursery* "puts to rest any argument that civil forfeiture . . . is punitive for purposes of abatement."

United States v. U.S. Currency in the Amount of $551,527.00, 1996 WL 612700 (9th Cir. Oct. 21, 1996) (Table Case). Contact: AUSA Greg Addington, ANVR01(gaddingt).

Jury Instructions on the Bulletin Board

AFMLS has revised its model jury instructions for criminal forfeitures in money laundering cases under 18 U.S.C. § 982(a)(1). The instructions incorporate the most recent case law regarding what property is considered "involved in" a money laundering offense, or traceable thereto. The new instructions may be downloaded from the Asset Forfeiture Bulletin Board. This can be found under topic number 21, sub-topic 3. The file name is: JURYINST.982.

The case summaries and comments in *Quick Release* are intended to assist government attorneys in keeping up to date with developments in the law. They do not represent the policy of the Department of Justice, and may not be cited as legal opinions or conclusions binding on any government attorneys.

The *Quick Release* is a monthly publication of the Asset Forfeiture and Money Laundering Section, Criminal Division, U.S. Department of Justice (202) 514-1263.

Chief:	Gerald McDowell
Assistant Chief:	Stefan Cassella
Editor/Production:	Todd Blanche
Design:	Elizabeth Kopp

Your forfeiture cases, both published and unpublished, are welcomed. Please fax your submission to Todd Blanche at (202) 616-1344 or mail it to:

1400 New York Ave. NW
Bond Building, Room 10100
Washington, DC 20005

Topical Index

Following is a listing of cases that have appeared in *Quick Release* during 1996, broken down by topic. The issue in which the case summary was published follows the cite.

* Indicates cases found in this issue of *Quick Release*

Abatement

* ***United States v. U.S. Currency in the Amount of $551,527.00,*** 1996 WL 612700 (9th Cir. Oct. 21, 1996) (Table Case) — Dec 1996

Administrative Forfeiture

* ***United States v. Combs,*** 1996 WL 583621 (9th Cir. Oct. 9, 1996) (Table Case) — Dec 1996

Concepcion v. United States, ___ F. Supp. ___, 1996 WL 501506 (E.D.N.Y. Aug. 30, 1996) — Nov 1996

Infante v. DEA, 938 F. Supp. 1149, 1996 WL 532249 (E.D.N.Y. Sept. 9, 1996) — Nov 1996

Mouawad v. United States, 1996 WL 518080 (E.D.N.Y. Aug. 30, 1996) — Nov 1996

United States v. Valencia, 1996 WL 547934 (9th Cir. Sept. 25, 1996) (Table Case) — Nov 1996

Muhammed v. Drug Enforcement Administration, 92 F.3d 648, (8th Cir. 1996) — Sept 1996

Ovelles v. United States, 1996 WL 409200 (S.D.N.Y. July 22, 1996) (unpublished) — Sept 1996

Herbert v. United States, 1996 WL 355333 (E.D. Pa. June 25, 1996) (unpublished) — Aug 1996

Litzenberger v. United States, 89 F.3d 818, (Fed. Cir. 1996) — Aug 1996

McDonald v. U.S. Drug Enforcement Administration, 1996 WL 157527 (S.D.N.Y. Apr. 3, 1996) (unpublished) — July 1996

United States v. Clark, 84 F.3d 378 (10th Cir. 1996) — July 1996

United States v. Quiroz, 1996 WL 277646 (N.D. Ill. May 21, 1996) — July 1996

Armendariz-Mata v. U.S Department of Justice, 82 F.3d 679 (5th Cir. 1996) — June 1996

Pou v. U.S. Drug Enforcement Administration, 923 F. Supp. 573 (S.D.N.Y. 1996) — June 1996

Bye v. United States, 1996 WL 185723 (S.D.N.Y. Apr. 18, 1996)(unpublished)	May 1996
United States v. Burch, 1996 WL 165095 (D. Kan. Feb. 20, 1996) (unpublished)	May 1996
United States v. Pinilla, 1996 WL 145953 (S.D.N.Y. Apr. 1, 1996) (unpublished)	May 1996
Gonzales-Rodriguez v. United States, 1996 WL 79416 (N.D. Ill. Feb. 21, 1996)(unpublished)	Apr 1996
Matthews v. United States, 917 F. Supp. 1090 (E.D. Va. 1996)	Apr 1996
United States v. Castro, 78 F.3d 453 (9th Cir. 1996)	Apr 1996
United States v. Leal, 1996 WL 54236 (N.D. Ill. Feb. 7, 1996) (unpublished)	Apr 1996
United States v. Lopez, 919 F. Supp. 347 (D. Nev. 1996)	Apr 1996
United States v. Robinson, 78 F.3d 172 (5th Cir. 1996)	Apr 1996
United States v. Volanty, 79 F.3d 86 (8th Cir. 1996)	Apr 1996
United States v. Pedro Luis Johnson-Johnson, No. CR 91-260-MA, No. CV 95-39-MA, (D. Or. January 26, 1996) (unpublished)	Mar 1996
United States v. $184,505.01 in U.S. Currency, 72 F.3d 1160 (3d Cir. 1995)	Jan 1996

Administrative Procedures Act

Infante v. DEA, 938 F. Supp. 1149, 1996 WL 532249 (E.D.N.Y. Sept. 9, 1996)	Nov 1996

Adoptive Forfeiture

• ***United States v. One Parcel Property Located at Lot 85,*** ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996)	Dec 1996
United States v. Valencia, 1996 WL 547934 (9th Cir. Sept. 25, 1996) (Table Case)	Nov 1996
United States v. 490,920 in United States Currency, ___ F.Supp. ___, 1996 WL 457288 (S.D.N.Y. Aug. 14, 1996)	Sept 1996
United States v. $639,470.00, 919 F. Supp. 1405 (C.D. Cal. 1996)	May 1996
United States v. $29,126.04 in U.S. Currency, IP-95-748-C-D/F (S.D. Ind. Jan. 17, 1996) (unpublished)	Apr 1996

Adverse Inference

United States v. Two Parcels . . . in Russell County, 92 F.3d 1123, 1996 WL 455518 (11th Cir. Aug. 28, 1996)	Oct 1996

United States v. One Hundred Thirty Thousand Fifty Two Dollars ($130,052.00) In United States Currency, 909 F. Supp. 1506 (M.D. Ala. 1995) Mar 1996

Ancillary Hearing

United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996) Oct 1996

United States v. Lester, 85 F.3d 1409 (9th Cir. 1996) July 1996

United States v. BCCI Holdings (Luxembourg) S.A., 73 F.3d 403 (D.C. Cir. 1996) Feb 1996

Ancillary Proceeding

* *United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Banque de Commerce et de Placements),* ___ F.R.D. ___, 1996 WL 665618 (D.D.C. Nov. 7, 1996) Dec 1996

* *United States v. Curci,* No. CR94-285R (W.D. Wash. Nov. 13, 1996) Dec 1996

* *United States v. Felber,* ___ F. Supp. ___, Cr. No. 94-60044 (D. Or. Oct. 29, 1996) Dec 1996

United States v. BCCI Holdings (Luxembourg) S.A. (Petition of American Express Bank), ___ F. Supp. ___, 1996 WL 543434 (D.D.C. Sept. 20, 1996) Oct 1996

Rashid v. United States, 1996 WL 421855 (E.D. Pa. July 25, 1996) Sept 1996

United States v. BCCI Holdings (Luxenbourg) S.A. (In re petition of Ahmed), 923 F. Supp. 264 (D.D.C. 1996) July 1996

United States v. Bouler, 927 F. Supp. 911, (W.D.N.C. 1996) July 1996

United States v. Brunson, 1996 WL 306438 (10th Cir. June 7, 1996) (unpublished) July 1996

United States v. Duboc, No. GCR 94-01009-MMP (N.D. Fla. May 9, 1996) (unpublished) June 1996

United States v. Moffitt, Zwerling & Kemler, P.C., 83 F.3d 660 (4th Cir. 1996) June 1996

United States v. Weaver, 1996 WL 217927 (9th Cir. Apr. 29, 1996) (unpublished) June 1996

United States v. Farley, 919 F. Supp. 276 (S.D. Ohio 1996) May 1996

United States v. Alcaraz-Garcia, 79 F.3d 769 (9th Cir. 1996) Apr 1996

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of B. Gray Gibbs), 916 F. Supp. 1270 (D.D.C. 1996) Apr 1996

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Richard Eline), 916 F. Supp. 1286 (D.D.C. 1996) — Apr 1996

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Indosuez Bank), 916 F. Supp. 1276 (D.D.C. 1996) — Apr 1996

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petitions of General Creditors), 919 F. Supp. 31 (D.D.C. 1996) — Apr 1996

United States v. Messino, 917 F. Supp. 1303 (N.D. Ill. 1996) — Apr 1996

United States v. Sokolow, 1996 WL 32113 (E.D. Pa. Jan. 26, 1996) (unpublished) — April 1996

Appeals

United States v. Bentley, 82 F.3d 222 (8th Cir. 1996) — June 1996

Assets Forfeiture Fund

United States v. Cuellar, 96 F. 3d. 1179, 1996 WL 523671 (9th Cir. Aug. 26, 1996) — Nov 1996

Chatfield Centre Condominium Association, Inc., v. United States, Phillip May, Frances May, 934 F. Supp. 1247, 1996 WL 492341 (D. Co. Aug. 26, 1996) — Oct 1996

Attorney Fees

United States v. Strang, 80 F.3d 1214 (7th Cir. 1996) — May 1996

United States v. 155 Bemis Road, CA 90-424-B (D.N.H. Nov. 15, 1995) (unpublished) — Jan 1996

Awards

United States v. Cuellar, 96 F. 3d. 1179, 1996 WL 523671 (9th Cir. Aug. 26, 1996) — Nov 1996

Perri v. United States, 35 Fed.Cl. 627 (1996) — July 1996

Bailment

- ***United States v. Felber,*** ___ F. Supp. ___, Cr. No. 94-60044 (D. Or. Oct. 29, 1996) — Dec 1996
- ***United States v. $79,000 in Account Number 2168050/6749900,*** 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished) — Dec 1996

Bankruptcy

In Re Brewer, No. 95-15897-BKC-AJC (Bankr. S.D. Fl. Oct. 8, 1996) Nov 1996

United States v. Pelullo, 1996 WL 257345 (E.D. Pa. May 10, 1996) (unpublished) July 1996

United States v. Randy, 81 F.3d 65 (7th Cir. 1996) July 1996

In re Douglas, 190 B.R. 831 (S.D. Ohio 1995) Mar 1996

Bill of Particulars

United States v. Moffitt, Zwerling & Kemler, P.C., 83 F.3d 660 (4th Cir. 1996) June 1996

Bivens Action

Brayman v. United States, 96 F.3d 1061, 1996 WL 502180 (8th Cir. Sept. 4, 1996) Oct 1996

Trujillo v. Simer, 934 F. Supp. 1217, 1996 WL 422092 (D. Colo. July 25, 1996) Sept 1996

Pou v. U.S. Drug Enforcement Administration, 923 F. Supp. 573 (S.D.N.Y. 1996) June 1996

Burden Of Proof

United States v. McCarroll, No. 95 CR 48 (June 19, 1996) (unpublished) Aug 1996

United States v. Voight, 89 F.3d 1050, (3d Cir. 1996) Aug 1996

United States v. One Parcel . . . 194 Quaker Farms Road,
85 F.3d 985 1996 (2d Cir. 1996) July 1996

United States v. Schinnell, 80 F.3d 1064 (5th Cir. 1996) May 1996

Certificate of Reasonable Cause

United States v. Eleven Vehicles, 937 F. Supp. 1143, 1996 WL 512409
(E.D.Pa. Aug. 30, 1996) (unpublished) Nov 1996

Child Pornography

Stanley v. United States, 932 F.Supp. 418, (E.D.N.Y. 1996) Sept 1996

Claim and Answer

United States v. One 1990 Mercedes Benz 300CE, VIN WDBA51E8LB183486,
926 F. Supp. 1 (D.D.C. 1996) July 1996

United States v. Property Identified as $88,260 in U.S. Currency,
925 F. Supp. 838 (D.D.C. 1996) July 1996

CMIR

United States v. $83,132.00 in United States Currency, 1996 WL 599725 (E.D.N.Y. Oct. 11, 1996) (unpublished) — Nov 1996

United States v. Bajakajian, 84 F.3d 334 (9th Cir. 1996) — June 1996

United States v. Dean, 80 F.3d 1535 (11th Cir. 1996) — May 1996

United States v. $1,102,720.00 U.S. Currency, 72 F.3d 136 (Table), 1995 WL 746172 (9th Cir. Dec. 15, 1995) — Feb 1996

Collateral Estoppel

Trujillo v. Simer, 934 F. Supp. 1217, 1996 WL 422092 (D. Colo. July 25, 1996) — Sept 1996

United States v. Premises Known as 6040 Wentworth Avenue, (D. Minn. Feb. 1, 1996) — June 1996

Community Property

United States v. Rutgard, Cr. No. 94-0408GT (S.D. Cal. Mar. 7, 1996) (unpublished) — Apr 1996

Constitutional Takings

Bennis v. Michigan, ___ U.S. ___, 116 S. Ct. 994 (1996) — Apr 1996

Constructive Trust

* ***United States v. $79,000 in Account Number 2168050/6749900,*** 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished) — Dec 1996

United States v. Sokolow, 1996 WL 32113 (E.D. Pa. Jan. 26, 1996) (unpublished) — April 1996

United States v. $3,000 in Cash and All Monies From Certain Bank Accounts, 906 F. Supp. 1061 (E.D. Va. 1995) — Jan 1996

Criminal Forfeiture

* ***United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Banque de Commerce et de Placements),*** ___ F.R.D. ___, 1996 WL 665618 (D.D.C. Nov. 7, 1996) — Dec 1996

* ***United States v. Curci,*** No. CR94-285R (W.D. Wash. Nov. 13, 1996) — Dec 1996

* ***United States v. Felber,*** ___ F. Supp. ___, Cr. No. 94-60044 (D. Or. Oct. 29, 1996) — Dec 1996

* ***United States v. Walker,*** ___ F. Supp. ___, 1996 WL 640832 (D. Co. Nov. 1, 1996) — Dec 1996

United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996)	Oct 1996
United States v. BCCI Holdings (Luxembourg) S.A. (Petition of American Express Bank), ___ F. Supp. ___, 1996 WL 543434 (D.D.C. Sept. 20, 1996)	Oct 1996
Rashid v. United States, 1996 WL 421855 (E.D. Pa. July 25, 1996)	Sept 1996
United States v. Dethlefs, 934 F. Supp. 475, 1996 WL 447591 (D. Me. July 1, 1996)	Sept 1996
United States v. Houlihan, 92 F.3d 1271, (1st Cir. 1996)	Sept 1996
United States v. McDermott, 1996 WL 433971 (10th Cir. Aug. 2, 1996) (Table Case)	Sept 1996
United States v. Shannon, 1996 WL 341352 (9th Cir. 1996) (Table Case)	Sept 1996
United States v. Caldwell, 88 F.3d 522, (8th Cir. 1996)	Aug 1996
United States v. Voight, 89 F.3d 1050, (3d Cir. 1996)	Aug 1996
Autullo v. United States, 1996 WL 243015 (N.D. Ill. May 10, 1996) (unpublished)	July 1996
United States v. BCCI Holdings (Luxenbourg) S.A. (In re petition of Ahmed, 923 F. Supp. 264 (D.D.C. 1996)	July 1996
United States v. Bouler, 927 F. Supp. 911, (W.D.N.C. 1996)	July 1996
United States v. Brunson, 1996 WL 306438 (10th Cir. June 7, 1996) (unpublished)	July 1996
United States v. King, 1996 WL 254647 (D. Kan. Apr. 10, 1996) (unpublished)	July 1996
United States v. Lester, 85 F.3d 1409 (9th Cir. 1996)	July 1996
United States v. Nunez, CRIM. NO. 1:94CR78-01 (D. Vt. May 24, 1996)	July 1996
United States v. Pelullo, 1996 WL 257345 (E.D. Pa. May 10, 1996) (unpublished)	July 1996
United States v. Rogers, 1996 WL 252659 (N.D.N.Y. May 8, 1996)	July 1996
United States v. Duboc, No. GCR 94-01009-MMP (N.D. Fla. May 9, 1996) (unpublished)	June 1996
United States v. Moffitt, Zwerling & Kemler, P.C., 83 F.3d 660 (4th Cir. 1996)	June 1996
United States v. Weaver, 1996 WL 217927 (9th Cir. Apr. 29, 1996) (unpublished)	June 1996
United States v. Farley, 919 F. Supp. 276 (S.D. Ohio 1996)	May 1996

United States v. One 1990 Arctic Cat EXT Snowmobile, 1996 WL 132107 (S.D.N.Y. Mar. 22, 1996) (unpublished)	May 1996
United States v. Patel, 1996 WL 166949 (N.D. Ill. Apr. 8, 1996) (unpublished)	May 1996
United States v. Ribadeneira, 920 F.Supp. 553 (S.D.N.Y. 1996)	May 1996
United States v. Sokolow, 81 F.3d 397 (3rd Cir. 1996)	May 1996
United States v. Strang, 80 F.3d 1214 (7th Cir. 1996)	May 1996
United States v. Alcaraz-Garcia, 79 F.3d 769 (9th Cir. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of B. Gray Gibbs), 916 F. Supp. 1270 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Richard Eline), 916 F. Supp. 1286 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Indosuez Bank), 916 F. Supp. 1276 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petitions of General Creditors), 919 F. Supp. 31 (D.D.C. 1996)	Apr 1996
United States v. Messino, 917 F. Supp. 1303 (N.D. Ill. 1996)	Apr 1996
United States v. Riley, 78 F.3d 367 (8th Cir. 1996)	Apr 1996
United States v. Rutgard, Cr. No. 94-0408GT (S.D. Cal. Mar. 7, 1996) (unpublished)	Apr 1996
United States v. Sokolow, 81 F.3d 397 (3d Cir. 1996)	May 1996
United States v. Saccoccia, 913 F. 3d 129 (D.R.I. 1996)	Mar 1996

Default Judgment

United States v. 6652 South Oakley Avenue, 1996 WL 501618 (N.D. Ill. Sept. 3, 1996)	Oct 1996
United States v. Doyer, 907 F. Supp. 1519 (M.D. Fla. Nov. 22, 1995)	Jan 1996

Delay

United States v. Property Identified as $88,260 in U.S. Currency, 925 F. Supp. 838 (D.D.C. 1996)	July 1996

Discovery

•	***United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Banque de Commerce et de Placements)***, ___ F.R.D. ___, 1996 WL 665618 (D.D.C. Nov. 7, 1996)	Dec 1996
	United States v. Account #87303569 in the name of Down East Outfitters, Inc. 1996 U.S. Dist. LEXIS 14555 (E.D.N.C. Sept. 11, 1996)	Nov 1996
	United States v. Holloway, 74 F.3d 249 (11th Cir. 1996)	Mar 1996
	United States v. Saccoccia, 913 F. 3d 129 (D.R.I. 1996)	Mar 1996

Dismissal With Prejudice

	United States v. One Tract of Real Property in District Three of Monroe County, 95 F.3d 422, 1996 WL 511262 (6th Cir. Sept. 10, 1996)	Oct 1996

Disposition of Real Property

•	***United States v. Kramer,*** ___ F. Supp. ___, 1996 WL 612687 (S.D.Fla. Oct. 17, 1996)	Dec 1996

Double Jeopardy

	United States v. Slater, 1996 WL 594055 (D. Kan. Sept. 17, 1996)	Nov 1996
	United States v. Jackson, 1996 WL 495127 (N.D. Ill. Aug. 28, 1996) (unpublished)	Oct 1996
	United States v. Quinn, 95 F.3d 8, 1996 WL 492198 (8th Cir. Aug. 30, 1996)	Oct 1996
	United States v. Sardone, 94 F.3d 1233, 1996 WL 492690 (9th Cir. Aug. 30, 1996)	Oct 1996
	United States v. McDermott, 1996 WL 433971 (10th Cir. Aug. 2, 1996) (Table Case)	Sept 1996
	United States v. One 1970 36.9' Columbia Sailing Boat, 91 F.3d 1053, (8th Cir. 1996)	Sept 1996
	Autullo v. United States, 1996 WL 243015 (N.D. Ill. May 10, 1996) (unpublished)	July 1996
	United States v. Arit, 1996 WL 256600 (9th Cir. May 15, 1996) (unpublished)	July 1996
	United States v. Randy, 81 F.3d 65 (7th Cir. 1996)	July 1996

United States v. Ursery, ___ U.S.___, S.Ct. (1996)	July 1996
United States v. Meola, 1996 WL 223731 (9th Cir. May 3, 1996) (unpublished)	July 1996
United States v. Morgan, 84 F.3d 765 (5th Cir. 1996)	July 1996
Bowman v. United States, 35 Fed. Cl. 397 (Fed.Cl. 1996)	June 1996
United States v. Bentley, 82 F.3d 222 (8th Cir. 1996)	June 1996
United States v. Cox, 83 F.3d 336 (10th Cir. 1996)	June 1996
United States v. Gurs, 83 F.3d 429 (Table), 1996 WL 200998 (9th Cir. Apr. 25, 1996) (unpublished)	June 1996
United States v. One 1986 Mercedes Benz, 1996 WL 208493 (D. Mass. March 6, 1996) (unpublished)	June 1996
United States v. Premises Known as 6040 Wentworth Avenue, (D. Minn. Feb. 1, 1996)	June 1996
United States v. Various Computers, 82 F.3d 582 (3d Cir. 1996)	June 1996
United States v. 1989 Ford Aerostar XLT Van, 924 F. Supp. 111 (D. Or. 1996)	June 1996
United States v. $4,299.32 U.S. Currency, 922 F. Supp. 430 (W.D. Wash. 1996)	June 1996
United States v. 152 Char-Nor Manor Boulevard, 922 F. Supp. 1064 (D. Md. 1996)	June 1996
United States v. Burch, 1996 WL 165095 (D. Kan. Feb. 20, 1996) (unpublished)	May 1996
United States v. Orallo, 1996 WL 183540 (9th Cir. Apr. 12, 1996) (unpublished)	May 1996
United States v. Schinnell, 80 F.3d 1064 (5th Cir. 1996)	May 1996
Dawson v. United States, 77 F.3d 180 (7th Cir. 1996)	Apr 1996
Garcia v. United States, 915 F. Supp. 168 (N.D. Cal. 1996)	Apr 1996
United States v. Brown, 917 F. Supp. 780 (M.D. Ala. 1996)	Apr 1996
United States v. Castro, 78 F.3d 453 (9th Cir. 1996)	Apr 1996
United States v. Clough, No. 95-8551 (6th Cir. Feb. 13, 1996) (unpublished)	Apr 1996
United States v. Enigwe, 1996 WL 92076 (E.D. Pa. Mar. 1, 1996) (unpublished)	Apr 1996
United States v. Escobar, 1996 WL 92074 (E.D. Pa. Feb. 29, 1996) (unpublished)	Apr 1996

United States v. Four Miscellaneous Computers, 1996 WL 31983 (9th Cir. Jan. 26, 1996) (unpublished)	Apr 1996
United States v. Haley, 78 F.3d 282 (7th Cir. 1996)	Apr 1996
United States v. James, 78 F.3d 851 (3d Cir. 1996)	Apr 1996
United States v. James, 915 F. Supp. 1092 (S.D. Cal. 1995)	Apr 1996
United States v. Nauracy, 1996 WL 89083 (N.D. Ill. Feb. 28, 1996) (unpublished)	Apr 1996
United States v. Pena, 918 F. Supp. 1431 (D. Kan. 1996)	Apr 1996
United States v. Volanty, 79 F.3d 86 (8th Cir. 1996)	Apr 1996
United States v. $61,980 in U.S. Currency, et al., Case No. 5:94 CV 1500 (N.D. Ohio Jan. 30, 1996) (unpublished)	Apr 1996
Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995)	Mar 1996
Ferguson v. United States, 911 F. Supp. 424 (C.D. Cal. 1995)	Mar 1996
Smith v. United States, 76 F.3d 879 (7th Cir. 1996)	Mar 1996
United States v. Baughman, 1996 WL 42117 (D. Kan. Jan. 22. 1996) (unpublished)	Mar 1996
United States v. Brown, 1996 WL 36098 (4th Cir. Jan. 31, 1996) (unpublished)	Mar 1996
United States v. D.L. Austin, 914 F. Supp. 441 (D. Kan. 1996)	Mar 1996
United States v. German, 76 F.3d 315 (10th Cir. 1996)	Mar 1996
United States v. Gonzalez, 76 F.3d 1339 (5th Cir. 1996)	Mar 1996
United States v. One Hundred Thirty Thousand Fifty Two Dollars ($130,052.00) in United States Currency, 909 F. Supp. 1506 (M.D. Ala. 1995)	Mar 1996
United States v. One Parcel of Real Estate at 321 S.E. 9th Court, 914 F. Supp. 522 (S.D. Fla 1995)	Mar 1996
United States v. One 1989, 23 Foot, Wellcraft Motor Vessel, 910 F. Supp. 46, (D. P. R. 1995)	Mar 1996
United States v. Pedro Luis Johnson-Johnson, No. CR 91-260-MA, No. CV 95-39-MA, (D. Or. January 26, 1996) (unpublished)	Mar 1996
United States v. Smith, 75 F.3d 382 (8th Cir. 1996)	Mar 1996

United States v. 9844 South Titan Court, 75 F.3d 1470 (10th Cir. 1996)	Mar 1996
Mapp v. Waller, 1995 WL 758329 (N.D. Ill. Dec. 18, 1995) (unpublished)	Feb 1996
United States v. A Tract of Land . . . 2640 Devils Knob Road, Tiller, Oregon, Case No. 91-6251-HO (D.Or. Jan. 11, 1996) (unpublished)	Feb 1996
United States v. Idowu, 74 F.3d 387 (2nd Cir. 1996)	Feb 1996
United States v. Lewis, 74 F.3d 1247 (9th Cir. 1996)	Feb 1996
United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished)	Feb 1996
United States v. Pena, 910 F. Supp. 535 (D. Kan. 1995)	Feb 1996
United States v. Sykes, 73 F.3d 772 (8th Cir. 1996)	Feb 1996
United States v. 100 Chadwick Drive, 913 F. Supp. 430 (W.D.N.C. 1995)	Feb 1996
United States v. Barber, 906 F. Supp. 424 (E.D. Mich. 1995)	Jan 1996
United States v. Buchanan, 70 F.3d 818 (5th Cir. 1995)	Jan 1996
United States v. Clementi, 70 F.3d 997 (8th Cir. 1995)	Jan 1996
United States v. Cordoba, 71 F.3d 1543 (10th Cir. 1995)	Jan 1996
United States v. Doyer, 907 F. Supp. 1519 (M.D. Fla. Nov. 22, 1995)	Jan 1996
United States v. Emmons, 1995 WL 767306 (D. Kan. Dec. 19, 1995) (unpublished)	Jan 1996
United States v. One Parcel of Real Property . . . 154 Manley Road, 908 F. Supp. 1070 (D.R.I. 1995)	Jan 1996
United States v. One Parcel of Real Property . . . 88843 Ross Lane, 907 F. Supp. 336 (D. Or. 1995)	Jan 1996
United States v. One 1990 Mercedes Benz, 907 F. Supp. 541 (N.D.N.Y. 1995)	Jan 1996
United States v. Richardson, 914 F. Supp 212 (N.D. Ill. 1995)	Jan 1996
United States v. Thompson, 911 F. Supp. 451 (D. Or. 1995)	Jan 1996
United States v. Vega, 72 F.3d 507 (7th Cir. 1995)	Jan 1996
United States v. $184,505.01 In U.S. Currency, 72 F.3d 1160 (3d Cir. 1995)	Jan 1996

Dual Sovereignty

United States v. Meola, 1996 WL 223731 (9th Cir. May 3, 1996) (unpublished) — July 1996

United States v. Four Miscellaneous Computers, 1996 WL 31983 (9th Cir. Jan. 26, 1996) (unpublished) — Apr 1996

United States v. Pena, 918 F. Supp. 1431 (D. Kan. 1996) — Apr 1996

United States v. $61,980 in U.S. Currency, et al., Case No. 5:94 CV 1500 (N.D. Ohio Jan. 30, 1996) (unpublished) — Apr 1996

United States v. Pena, 910 F. Supp. 535 (D. Kan. 1995) — Feb 1996

Due Process

United States v. Clark, 84 F.3d 378 (10th Cir. 1996) — July 1996

United States v. Quiroz, 1996 WL 277646 (N.D. Ill. May 21, 1996) — July 1996

United States v. $200,970, Case No. CV-95-1781 (CPS) (E.D.N.Y. April 30, 1996) (unpublished) — June 1996

Bennis v. Michigan, ___ U.S. ___, 116 S. Ct. 994 (1996) — Apr 1996

EAJA

United States v. Eleven Vehicles, 937 F. Supp. 1143, 1996 WL 512409 (E.D.Pa. Aug. 30, 1996) (unpublished) — Nov 1996

United States v. $19,047.00 U.S. Currency, 95 F.3d 248, 1996 WL 516990 (2nd Cir. Sept. 12, 1996) — Oct 1996

United States v. 155 Bemis Road, CA 90-424-B (D.N.H. Nov. 15, 1995) (unpublished) — Jan 1996

Excessive Fines

- ***United States v. One Parcel Property Located at Lot 85,*** ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996) — Dec 1996
- ***United States v. Real Property Located in San Joaquin County at 12900 East Peltier Road,*** ___ F. Supp. ___, No. Civ. S-93-316 WBS/JFM (E.D. Ca. Nov. 6, 1996) — Dec 1996
- ***United States v. 829 Calle de Madero,*** ___ F.3d ___, 1996 WL 654444 (10th Cir. Nov. 12, 1996) — Dec 1996
- ***United States v. 3814 NW Thurman Street,*** ___ F. Supp. ___, 1996 WL 663545 (D. Or. Nov. 4, 1996) — Dec 1996

United States v. Dansbury, 1996 WL 592645 (E.D. Pa. Oct. 15, 1996) (unpublished)	Nov 1996
United States v. Shifflett, 1996 WL 560113 (W.D.Va. Sept. 23, 1996) (unpublished)	Nov 1996
United States v. $83,132.00 in United States Currency, 1996 WL 599725 (E.D.N.Y. Oct. 11, 1996) (unpublished)	Nov 1996
United States v. 120 South Wareham Lane, 1996 WL 507244 (N.D. Ill. Sept. 4, 1996)	Nov 1996
United States v. Parcel of Real Property Containing 155 Acres, 1996 WL 408845 (N.D. Miss. July 8, 1996)	Sept 1996
United States v. Parcel of Real Property Containing 47 Acres, 1996 WL 408846 (N.D. Miss. July 8, 1996)	Sept 1996
United States v. Ownby, 926 F. Supp. 558 (W.D.Va. 1996)	July 1996
United States v. Toyfoya, No. CR-93-0505 EFL (N.D. Cal. May 28, 1996)	July 1996
United States v. Premises Known as 6040 Wentworth Avenue, (D. Minn. Feb. 1, 1996)	June 1996
United States v. 152 Char-Nor Manor Boulevard, 922 F. Supp. 1064 (D. Md. 1996)	June 1996
United States v. Dean, 80 F.3d 1535 (11th Cir. 1996)	May 1996
United States v. All Right, Title and Interest in Real Property, 77 F.3d 648 (2d Cir. 1996)	Apr 1996
United States v. One Hundred Thirty Thousand Fifty Two Dollars ($130,052.00) in United States Currency, 909 F. Supp. 1506 (M.D. Ala. 1995)	Mar 1996
United States v. One Parcel of Real Estate at 321 S.E. 9th Court, 914 F. Supp. 522 (S.D. Fla 1995)	Mar 1996
United States v. One Parcel Property Located at 427 and 429 South Hall Street, 74 F.3d 1165 (11th Cir. 1996)	Mar 1996
United States v. 100 Chadwick Drive, 913 F. Supp. 430 (W.D.N.C. 1995)	Feb 1996
United States v. Certain Real Property Located at 11869 Westshore Drive, 70 F.3d 923 (6th Cir. 1995)	Jan 1996

Exigent Circumstances

United States v. All Right, Title and Interest in Real Property Titled in the Name of Taipei Partners, 927 F.Supp. 1324 (D. Hawaii 1996) — June 1996

Express Trust

United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996) — Oct 1996

Fifth Amendment

United States v. $506,641.00 in U.S. Currency, 1996 WL 78364 (N.D. Ill. Feb. 20, 1996) (unpublished) — Apr 1996

Final Orders of Fofeiture

United States v. Hentz, 1996 WL 355327 (E.D. Pa. June 20, 1996) — Aug 1996

Fugitive Disentitlement Doctrine

Degen v. United States, ___ U.S. ___, 116 S. Ct. 1777 (1996) — July 1996

Fungible Property

United States v. All Funds on Deposit...In the Name of Perusa, Inc., 935 F. Supp. 208, 1996 WL 449935 (E.D.N.Y. July 26, 1996) — Sept 1996

General Creditors

- ***United States v. Curci,*** No. CR94-285R (W.D. Wash. Nov. 13, 1996) — Dec 1996

Good Hearing

United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished) — Nov 1996

United States v. All Right, Title and Interest in Real Property Titled in the Name of Taipei Partners, 927 F.Supp. 1324 (D. Hawaii 1996) — June 1996

United States v. All Assets and Equipment of West Side Building Corp., 1996 WL 6558 (N.D. Ill. Jan. 5, 1996) (unpublished) — Feb 1996

United States v. One Parcel of Real Property . . . 88843 Ross Lane, 907 F. Supp. 336 (D. Or. 1995) — Jan 1996

United States v. Real Property Known and Numbered as 429 South Main Street, 906 F. Supp. 1155 (S.D. Ohio 1995) — Jan 1996

Good Violation

- ***United States v. One Parcel Property Located at Lot 85,*** ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996) — Dec 1996

United States v. One 1989, 23 Foot, Wellcraft Motor Vessel, 910 F. Supp. 46, (D. P. R. 1995) — Mar 1996

Grand Jury

Property Seized v. United States, No. Civ 95-780 TUC RMB (D. Ariz. Nov 28, 1995) (unpublished) — Jan 1996

Guilty Plea

United States v. Caldwell, 88 F.3d 522, (8th Cir. 1996) — Aug 1996

Homestead Exemption

In Re Brewer, No. 95-15897-BKC-AJC (Bankr. S.D. Fl. Oct. 8, 1996) — Nov 1996

Immunity

United States v. Holloway, 74 F.3d 249 (11th Cir. 1996) — Mar 1996

Innocent Owner

United States v. 3814 NW Thurman Street, ___ F. Supp. ___, 1996 WL 570460 (D. Or. Oct. 1, 1996) — Nov 1996

United States v. $83,132.00 in United States Currency, 1996 WL 599725 (E.D.N.Y. Oct. 11, 1996) (unpublished) — Nov 1996

United States v. Premises Known as 205 Daystrom Avenue, ___ F.Supp.___, (M.D.Pa. Aug. 2, 1996) — Sept 1996

United States v. Funds in the Amount of $228,390 (SISU Corporation), 1996 WL 284943 (N.D. Ill. May 23, 1996) (unpublished) — July 1996

United States v. One Parcel . . . 194 Quaker Farms Road, 85 F.3d 985 1996 (2d Cir. 1996) — July 1996

United States v. Rogers, 1996 WL 252659 (N.D.N.Y. May 8, 1996) — July 1996

United States v. 152 Char-Nor Manor Boulevard, 922 F. Supp. 1064 (D. Md. 1996) — June 1996

United States v. 5709 Hillingdon Road, 919 F. Supp. 863 (W.D.N.C. 1996) — June 1996

Bennis v. Michigan, ___ U.S. ___, 116 S. Ct. 994 (1996) — Apr 1996

United States v. All Right, Title and Interest in Real Property, 77 F.3d 648 (2d Cir. 1996) — Apr 1996

United States v. Real Property 874 Gartel Drive, 79 F.3d 918 (9th Cir. 1996) (per curiam) — Apr 1996

United States v. Colonial National Bank, N.A., 74 F.3d 486 (4th Cir. 1996) — Mar 1996

United States v. One Parcel of Property Located at 121 Allen Place, 75 F.3d 118 (2d Cir. 1996) — Mar 1996

United States v. $1,102,720.00 U.S. Currency, 72 F.3d 136 (Table), 1995 WL 746172 (9th Cir. Dec. 15, 1995) — Feb 1996

United States v. Basler Turbo-67, 906 F. Supp. 1332 (D. Ariz. 1995) — Jan 1996

United States v. Premises Known as 281 Syosset Woodbury Road, 71 F.3d 1067 (2d Cir. 1995) — Jan 1996

United States v. $3,000 in Cash and All Monies From Certain Bank Accounts, 906 F. Supp. 1061 (E.D. Va. 1995) — Jan 1996

United States v. 7.6 Acres of Land, 907 F. Supp. 782 (D. Vt. 1995) — Jan 1996

In Rem Jurisdiction

* ***United States v. One Parcel Property Located at Lot 85,*** ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996) — Dec 1996

United States v. Certain Funds Contained in Account ... at the Hong Kong and Shang Hai Banking Corp., 96 F.3d 20, 1996 WL 521188 (2nd Cir. Sept 6, 1996) — Oct 1996

United States v. Igbonwa, 1996 WL 515517 (E.D.Pa. Aug. 26, 1996) (unpublished) — Oct 1996

United States v. 490,920 in United States Currency, ___ F.Supp. ___, 1996 WL 457288 (S.D.N.Y. Aug. 14, 1996) — Sept 1996

United States v. Certain Funds Contained in Account Nos. 600-306211-006 . . . at the Hong Kong and Shang Hai Banking Corporation, 922 F. Supp. 761 (E.D.N.Y. 1996) — May 1996

United States v. $29,126.04 in U.S. Currency, IP-95-748-C-D/F (S.D. Ind. Jan. 17, 1996) (unpublished) — Apr 1996

Interlocutory Appeal

United States v. Burch, 1996 WL 165095 (D. Kan. Feb. 20, 1996) (unpublished) — May 1996

Joint and Several Liability

United States v. McCarroll, No. 95 CR 48 (June 19, 1996) (unpublished) — Aug 1996

United States v. DeFries, 909 F. Supp. 13 (D.D.C. 1995) — Feb 1996

Jurisdiction

Litzenberger v. United States, 89 F.3d 818, (Fed. Cir. 1996) — Aug 1996

Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995) — Mar 1996

Jurisdiction Pending Appeal

United States v. Messino, 907 F. Supp. 1231 (N.D. Ill. 1995) — Feb 1996

Lack of Consent

United States v. One Parcel of Property Located at 121 Allen Place, 75 F.3d 118 (2d Cir. 1996) — Mar 1996

Legitimate Source Defense

United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished) — Nov 1996

United States v. One Urban Lot Number 14,126, 941 F. Supp. 19 1996 WL 585582 (D. Puerto Rico Sept. 30, 1996)

United States v. Two Parcels . . . in Russell County, 92 F.3d 1123, 1996 WL 455518 (11th Cir. Aug. 28, 1996) — Oct 1996

Liability for Damages

United States v. Silvers, 932 F. Supp. 702, (D. Md. 1996) — Sept 1996

Liens

United States v. Colonial National Bank, N.A., 74 F.3d 486 (4th Cir. 1996) — Mar 1996

Marital Privilege

United States v. Premises Known as 281 Syosset Woodbury Road, 71 F.3d 1067 (2d Cir. 1995) — Jan 1996

Money Laundering

United States v. $79,000 in Account Number 2168050/6749900, 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished) — Dec 1996

United States v. Voight, 89 F.3d 1050, (3d Cir. 1996) — Aug 1996

United States v. Rogers, 1996 WL 252659 (N.D.N.Y. May 8, 1996) — July 1996

United States v. Real Property 874 Gartel Drive, 79 F.3d 918 (9th Cir. 1996) (per curiam) — Apr 1996

United States v. Basler Turbo-67, 906 F. Supp. 1332 (D. Ariz. 1995) — Jan 1996

Motion to Dismiss

United States v. All Funds on Deposit...In the Name of Perusa, Inc., 935 F. Supp. 208, 1996 WL 449935 (E.D.N.Y. July 26, 1996) — Sept 1996

Notice

United States v. Combs, 1996 WL 583621 (9th Cir. Oct. 9, 1996) (Table Case) — Dec 1996

Concepcion v. United States, ___ F. Supp. ___, 1996 WL 501506 (E.D.N.Y. Aug. 30, 1996) — Nov 1996

United States v. Igbonwa, 1996 WL 515517 (E.D.Pa. Aug. 26, 1996) (unpublished) — Oct 1996

Muhammed v. Drug Enforcement Administration, 92 F.3d 648, (8th Cir. 1996) — Sept 1996

Herbert v. United States, 1996 WL 355333 (E.D. Pa. June 25, 1996) (unpublished) — Aug 1996

McDonald v. U.S. Drug Enforcement Administration, 1996 WL 157527 (S.D.N.Y. Apr. 3, 1996) (unpublished) — July 1996

United States v. Bouler, 927 F. Supp. 911, (W.D.N.C. 1996) — July 1996

Armendariz-Mata v. U.S Department of Justice, 82 F.3d 679 (5th Cir. 1996) — June 1996

Pou v. U.S. Drug Enforcement Administration, 923 F. Supp. 573 (S.D.N.Y. 1996) — June 1996

Bye v. United States, 1996 WL 185723 (S.D.N.Y. Apr. 18, 1996)(unpublished) — May 1996

United States v. Pinilla, 1996 WL 145953 (S.D.N.Y. Apr. 1, 1996) (unpublished) — May 1996

Gonzales-Rodriguez v. United States, 1996 WL 79416 (N.D. Ill. Feb. 21, 1996)(unpublished) — Apr 1996

United States v. Leal, 1996 WL 54236 (N.D. Ill. Feb. 7, 1996) (unpublished) — Apr 1996

United States v. Lopez, 919 F. Supp. 347 (D. Nev. 1996) — Apr 1996

United States v. Robinson, 78 F.3d 172 (5th Cir. 1996) — Apr 1996

Barrera-Montenegro v. United States, 74 F.3d 657 (5th Cir. 1996) — Mar 1996

Johnson v. United States, 1996 WL 31230 (E.D.N.Y. Jan. 18, 1996) (unpublished)	Mar 1996
Martinez-Lorenzo v. Wellington, 911 F. Supp. 383 (W.D. Mo. 1995)	Mar 1996
Omoregie v. United States, 1995 WL 761848 (E.D.N.Y. Dec. 20, 1995) (unpublished)	Feb 1996
United States v. Inufele, 1995 WL 761815 (E.D.N.Y. Dec. 12, 1995) (unpublished)	Feb 1996
United States v. One Gulfstream I Aircraft, 1995 WL 746182 (N.D. Ill. Dec. 15, 1995) (unpublished)	Feb 1996
United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished)	Feb 1996
United States v. $184,505.01 In U.S. Currency, 72 F.3d 1160 (3d Cir. 1995)	Jan 1996
Notice to Third Parties	
United States v. Hentz, 1996 WL 355327 (E.D. Pa. June 20, 1996)	Aug 1996
Obscenity	
United States v. Ownby, 926 F. Supp. 558 (W.D.Va. 1996)	July 1996
Order of Forfeiture	
United States v. Shannon, 1996 WL 341352 (9th Cir. 1996) (Table Case)	Sept 1996
Ownership	
United States v. Houlihan, 92 F.3d 1271, (1st Cir. 1996)	Sept 1996
United States v. D.L. Austin, 914 F. Supp. 441 (D. Kan. 1996)	Mar 1996
Parallel Forfeitures	
United States v. Silvers, 932 F. Supp. 702, (D. Md. 1996)	Sept 1996
United States v. One 1990 Arctic Cat EXT Snowmobile, 1996 WL 132107 (S.D.N.Y. Mar. 22, 1996) (unpublished)	May 1996
Particularity	
United States v. Two Parcels . . . In Russell County, 92 F.3d 1123, 1996 WL 455518 (11th Cir. Aug. 28, 1996)	Oct 1996

Petition for Remission

United States v. Morgan, 84 F.3d 765 (5th Cir. 1996) — July 1996

Piercing the Corporate Veil

United States v. Premises Known as 205 Daystrom Avenue, ___ F.Supp.___, (M.D.Pa. Aug. 2, 1996) — Sept 1996

Pre-Trial Restraint

United States v. Strang, 80 F.3d 1214 (7th Cir. 1996) — May 1996

Probable Cause

United States v. 120 South Wareham Lane, 1996 WL 507244 (N.D. Ill. Sept. 4, 1996) — Nov 1996

United States v. $87,118.00 in United States Currency, 95 F.3d 511, 1996 WL 499243 (7th Cir. Sept. 4, 1996) — Oct 1996

United States v. 506,641 in United States Currency, 1996 WL 396082 (N.D.Ill. July 11, 1996) (unpublished) — Sept 1996

United States v. One 1986 Mercedes Benz, 1996 WL 208493 (D. Mass. March 6, 1996) (unpublished) — June 1996

United States v. $200,970, Case No. CV-95-1781 (CPS) (E.D.N.Y. April 30, 1996) (unpublished) — June 1996

United States v. $39,873.00, 80 F.3d 317 (8th Cir. 1996) — May 1996

United States v. Four Miscellaneous Computers, 1996 WL 31983 (9th Cir. Jan. 26, 1996) (unpublished) — Apr 1996

United States v. 100 Chadwick Drive, 913 F. Supp. 430 (W.D.N.C. 1995) — Feb 1996

Proceeds

United States v. One Urban Lot Number 14,126, 941 F. Supp. 19 1996 WL 585582 (D. Puerto Rico Sept. 30, 1996)

United States v. McCarroll, No. 95 CR 48 (June 19, 1996) (unpublished) — Aug 1996

United States v. Various Computers, 82 F.3d 582 (3d Cir. 1996) — June 1996

United States v. Brown, 917 F. Supp. 780 (M.D. Ala. 1996) — Apr 1996

United States v. Volanty, 79 F.3d 86 (8th Cir. 1996) — Apr 1996

Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995)	Mar 1996
Property Transferred to Third Party	
United States v. Moffitt, Zwerling & Kemler, P.C., 83 F.3d 660 (4th Cir. 1996)	June 1996
Proportionality Test	
Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995)	Mar 1996
Protective Orders	
United States v. $506,641.00 in U.S. Currency, 1996 WL 78364 (N.D. Ill. Feb. 20, 1996) (unpublished)	Apr 1996
Punishment	
United States v. Arlt, 1996 WL 256600 (9th Cir. May 15, 1996) (unpublished)	July 1996
Garcia v. United States, 915 F. Supp. 168 (N.D. Cal. 1996)	Apr 1996
United States v. Brown, 917 F. Supp. 780 (M.D. Ala. 1996)	Apr 1996
Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995)	Mar 1996
Smith v. United States, 76 F.3d 879 (7th Cir. 1996)	Mar 1996
United States v. Brown, 1996 WL 36098 (4th Cir. Jan. 31, 1996) (unpublished)	Mar 1996
United States v. One 1989, 23 Foot, Wellcraft Motor Vessel, 910 F. Supp. 46, (D. P. R. 1995)	Mar 1996
United States v. 9844 South Titan Court, 75 F.3d 1470 (10th Cir. 1996)	Mar 1996
United States v. Idowu, 74 F.3d 387 (2nd Cir. 1996)	Feb 1996
United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished)	Feb 1996
United States v. Buchanan, 70 F.3d 818 (5th Cir. 1995)	Jan 1996
United States v. Clementi, 70 F.3d 997 (8th Cir. 1995)	Jan 1996
United States v. Doyer, 907 F. Supp. 1519 (M.D. Fla. Nov. 22, 1995)	Jan 1996
United States v. One Parcel of Real Property . . . 154 Manley Road, 908 F. Supp. 1070 (D.R.I. 1995)	Jan 1996

Qualified Immunity

Brayman v. United States, 96 F.3d 1061, 1996 WL 502180 (8th Cir. Sept. 4, 1996) Oct 1996

Relation Back Doctrine

In re Douglas, 190 B.R. 831 (S.D. Ohio 1995) Mar 1996

United States v. Colonial National Bank, N.A., 74 F.3d 486 (4th Cir. 1996) Mar 1996

Remission Petition

United States v. Orallo, 1996 WL 183540 (9th Cir. Apr. 12, 1996) (unpublished) May 1996

United States v. German, 76 F.3d 315 (10th Cir. 1996) Mar 1996

United States v. Vega, 72 F.3d 507 (7th Cir. 1995) Jan 1996

Request for Admissions

United States v. One Tract of Real Property In District Three of Monroe County, 95 F.3d 422, 1996 WL 511262 (6th Cir. Sept. 10, 1996) Oct 1996

Restitution

United States v. Weinberger, 91 F. 3d 642, (4th Cir. 1996) Sept 1996

United States v. Durham, 86 F.3d 70 (5th Cir. 1996) July 1996

Restraining Orders

United States v. Bellomo, 96 Cr. 130 (LAK) (E.D.N.Y. Sept. 16, 1996) Nov 1996

United States v. Riley, 78 F.3d 367 (8th Cir. 1996) Apr 1996

Retroactivity

United States v. $4,299.32 U.S. Currency, 922 F. Supp. 430 (W.D. Wash. 1996) June 1996

Dawson v. United States, 77 F.3d 180 (7th Cir. 1996) Apr 1996

Garcia v. United States, 915 F. Supp. 168 (N.D. Cal. 1996) Apr 1996

United States v. James, 915 F. Supp. 1092 (S.D. Cal. 1995) Apr 1996

Ferguson v. United States, 911 F. Supp. 424 (C.D. Cal. 1995) Mar 1996

United States v. Real Property Described as 3947 Locke Ave., 164 F.R.D. 496 (C.D. Cal. 1995) Mar 1996

Smith v. United States, 76 F.3d 879 (7th Cir. 1996)	Mar 1996
Return of Property	
United Statess v. Madden, 95 F.3d 38, 1996 WL 496286 (10th Cir. Sept 1996)	Oct 1996
United States v. Miguel Angil Gonzalez, 1995 WL 732849 (D. Or. Nov. 27, 1995)(unpublished)	Jan 1996
Rewards	
Nicholas v. United States, 35 Fed.Cl. 387 (1996)	May 1996
RICO	
United States v. Riley, 78 F.3d 367 (8th Cir. 1996)	Apr 1996
United States v. DeFries, 909 F. Supp. 13 (D.D.C. 1995)	Feb 1996
United States v. Kramer, 73 F.3d 1067 (11th Cir. 1996)	Feb 1996
Right to Counsel	
• ***United States v. 3814 NW Thurman Street,*** ___ F. Supp. ___, 1996 WL 663545 (D. Or. Nov. 4, 1996)	Dec 1996
United States v. Pedro Luis Johnson-Johnson, No. CR 91-260-MA, No. CV 95-39-MA, (D. Or. January 26, 1996) (unpublished)	Mar 1996
Right to Financial Privacy Act	
Lopez v. First National Bank, 931 F. Supp. 860, (S.D.Fla. 1996)	Sept 1996
Rule C	
United States v. Various Computers, 82 F.3d 582 (3d Cir. 1996)	June 1996
Rule 41(e)	
• ***Zapata v. United States,*** 1996 WL 617369 (S.D.N.Y. Oct. 25, 1996)	Dec 1996
United Statess v. Madden, 95 F.3d 38, 1996 WL 496286 (10th Cir. Sept 1996)	Oct 1996
Ovelles v. United States, 1996 WL 409200 (S.D.N.Y. July 22, 1996) (unpublished)	Sept 1996
United States v. Quiroz, 1996 WL 277646 (N.D. Ill. May 21, 1996)	July 1996

United States v. Fitzen, 80 F.3d 387 (9th Cir. 1996) — June 1996

United States v. An Antique Platter of Gold, 1995 WL 758762 (S.D.N.Y. Dec. 22, 1995) (unpublished) — Feb 1996

Property Seized v. United States, No. Civ 95-780 TUC RMB (D. Ariz. Nov 28, 1995) (unpublished) — Jan 1996

United States v. Miguel Angil Gonzalez, 1995 WL 732849 (D. Or. Nov. 27, 1995)(unpublished) — Jan 1996

Rule 60(b)

United States v. Dansbury, 1996 WL 592645 (E.D. Pa. Oct. 15, 1996) (unpublished) — Nov 1996

United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished) — Nov 1996

United Statess v. Madden, 95 F.3d 38, 1996 WL 496286 (10th Cir. Sept 1996) — Oct 1996

United States v. 6652 South Oakley Avenue, 1996 WL 501618 (N.D. Ill. Sept. 3, 1996) — Oct 1996

United States v. 1989 Ford Aerostar XLT Van, 924 F. Supp. 111 (D. Or. 1996) — June 1996

United States v. $4,299.32 U.S. Currency, 922 F. Supp. 430 (W.D. Wash. 1996) — June 1996

United States v. Real Property Described as 3947 Locke Ave., 164 F.R.D. 496 (C.D. Cal. 1995) — Mar 1996

United States v. A Tract of Land . . . 2640 Devils Knob Road, Tiller, Oregon, Case No. 91-6251-HO (D. Or. Jan. 11, 1996) (unpublished) — Feb 1996

United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished) — Feb 1996

United States v. 4118 West 178th Street, 1995 WL 758436 (N.D. Ill. Dec. 21, 1995) (unpublished) — Feb 1996

United States v. One Parcel of Real Property . . . 88843 Ross Lane, 907 F. Supp. 336 (D. Or. 1995) — Jan 1996

Same Offense

Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995) — Mar 1996

United States v. 9844 South Titan Court, 75 F.3d 1470 (10th Cir. 1996) — Mar 1996

United States v. Lewis, 74 F.3d 1247 (9th Cir. 1996)	Feb 1996
United States v. One Parcel of Real Property . . . 154 Manley Road, 908 F. Supp. 1070 (D.R.I. 1995)	Jan 1996
United States v. $184,505.01 in U.S. Currency, 72 F.3d 1160 (3d Cir. 1995)	Jan 1996

Same Proceeding

United States v. Smith, 75 F.3d 382 (8th Cir. 1996)	Mar 1996
United States v. One Hundred Thirty Thousand Fifty Two Dollars ($130,052.00) in United States Currency, 909 F. Supp. 1506 (M.D. Ala. 1995)	Mar 1996
United States v. One Parcel of Real Estate at 321 S.E. 9th Court, 914 F. Supp. 522 (S.D. Fla 1995)	Mar 1996
United States v. 9844 South Titan Court, 75 F.3d 1470 (10th Cir. 1996)	Mar 1996
United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished)	Feb 1996
United States v. Doyer, 907 F. Supp. 1519 (M.D. Fla. Nov. 22, 1995)	Jan 1996
United States v. One Parcel of Real Property . . . 154 Manley Road, 908 F. Supp. 1070 (D.R.I. 1995)	Jan 1996
United States v. One 1990 Mercedes Benz, 907 F. Supp. 541 (N.D.N.Y. 1995)	Jan 1996

Search and Seizure

Trujillo v. Simer, 934 F. Supp. 1217, 1996 WL 422092 (D. Colo. July 25, 1996)	Sept 1996

Section 888

United States v. One 1991 Ford Mustang, 909 F. Supp. 831 (D. Colo. 1996)	Mar 1996

Section 1983

Pou v. U.S. Drug Enforcement Administration, 923 F. Supp. 573 (S.D.N.Y. 1996)	June 1996
Mapp v. Waller, 1995 WL 758329 (N.D. Ill. Dec. 18, 1995) (unpublished)	Feb 1996

Section 2255

Autullo v. United States, 1996 WL 243015 (N.D. Ill. May 10, 1996) (unpublished)	July 1996
United States v. Cox, 83 F.3d 336 (10th Cir. 1996)	June 1996

United States v. Haley, 78 F.3d 282 (7th Cir. 1996) Apr 1996

United States v. Nauracy, 1996 WL 89083 (N.D. Ill. Feb. 28, 1996) (unpublished) Apr 1996

United States v. D.L. Austin, 914 F. Supp. 441 (D. Kan. 1996) Mar 1996

United States v. Richardson, 914 F. Supp 212 (N.D. Ill. 1995) Jan 1996

Seizures

* *United States v. Walker*, ___ F. Supp. ___, 1996 WL 640832 (D. Co. Nov. 1, 1996) Dec 1996

United States v. Funds in the Amount of $228,390 (SISU Corporation),1996 WL 284943 (N.D. Ill. May 23, 1996) (unpublished) July 1996

Seizure Warrants

United States v. 490,920 in United States Currency, ___ F.Supp. ___, 1996 WL 457288 (S.D.N.Y. Aug. 14, 1996) Sept 1996

Sentencing

United States v. Weinberger, 91 F. 3d 642, (4th Cir. 1996) Sept 1996

Separate Conduct

United States v. $61,980 in U.S. Currency, et al., Case No. 5:94 CV 1500 (N.D. Ohio Jan. 30, 1996) (unpublished) Apr 1996

Separate Offense

United States v. Escobar, 1996 WL 92074 (E.D. Pa. Feb. 29, 1996) (unpublished) Apr 1996

Separate Proceedings

United States v. Clough, No. 95-8551 (6th Cir. Feb. 13, 1996) (unpublished) Apr 1996

Sovereign Immunity

Litzenberger v. United States, 89 F.3d 818, (Fed. Cir. 1996) Aug 1996

Special Verdict

United States v. Sokolow, 81 F.3d 397 (3d Cir. 1996) May 1996

United States v. Messino, 917 F. Supp. 1303 (N.D. Ill. 1996) Apr 1996

Standing

•	***United States v. $79,000 In Account Number 2168050/6749900,*** 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished)	Dec 1996
	United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished)	Nov 1996
	United States v. $83,132.00 In United States Currency, 1996 WL 599725 (E.D.N.Y. Oct. 11, 1996) (unpublished)	Nov 1996
	United States v. BCCI Holdings (Luxembourg) S.A. (Petition of American Express Bank), ___ F. Supp. ___, 1996 WL 543434 (D.D.C. Sept. 20, 1996)	Oct 1996
	United States v. All Funds on Deposit...In the Name of Perusa, Inc., 935 F. Supp. 208, 1996 WL 449935 (E.D.N.Y. July 26, 1996)	Sept 1996
	United States v. $147,000, Civil No. 95-1393 (SEC) (D. Pr. July 2, 1996)	Aug 1996
	United States v. Bouler, 927 F. Supp. 911, (W.D.N.C. 1996)	July 1996
	United States v. Funds In the Amount of $228,390 (SISU Corporation), 1996 WL 284943 (N.D. Ill. May 23, 1996) (unpublished)	July 1996
	United States v. Nunez, CRIM. NO. 1:94CR78-01 (D. Vt. May 24, 1996)	July 1996
	United States v. Rogers, 1996 WL 252659 (N.D.N.Y. May 8, 1996)	July 1996
	United States v. Pena, 920 F. Supp. 639 (E.D. Pa. 1996)	May 1996
	United States v. Ribadeneira, 920 F.Supp. 553 (S.D.N.Y. 1996)	May 1996
	United States v. Alcaraz-Garcia, 79 F.3d 769 (9th Cir. 1996)	Apr 1996
	United States v. BCCI Holdings (Luxembourg) S.A. (In re Petitions of General Creditors), 919 F. Supp. 31 (D.D.C. 1996)	Apr 1996
	United States v. 7.6 Acres of Land, 907 F. Supp. 782 (D. Vt. 1995)	Jan 1996
	United States v. $3,000 In Cash and All Monies From Certain Bank Accounts, 906 F. Supp. 1061 (E.D. Va. 1995)	Jan 1996

Statute of Limitations

	McDonald v. U.S. Drug Enforcement Administration, 1996 WL 157527 (S.D.N.Y. Apr. 3, 1996) (unpublished)	July 1996

Stay Pending Appeal

* ***United States v. Premises Known as 205 Daystrom Avenue,*** No. 91-CV-735 (M.D.Pa. Nov. 15, 1996) — Dec 1996

United States v. Account #87303569 in the name of Down East Outfitters, Inc. 1996 U.S. Dist. LEXIS 14555 (E.D.N.C. Sept. 11, 1996) — Nov 1996

Chatfield Centre Condominium Association, Inc., v. United States, Phillip May, Frances May, 934 F. Supp. 1247, 1996 WL 492341 (D. Co. Aug. 26, 1996) — Oct 1996

United States v. Various Tracts of Land, 74 F.3d. 197 (10th Cir. 1996) — Feb 1996

Structuring

United States v. 5709 Hillingdon Road, 919 F. Supp. 863 (W.D.N.C. 1996) — June 1996

Substitute Assets

United States v. Bellomo, 96 Cr. 130 (LAK) (E.D.N.Y. Sept. 16, 1996) — Nov 1996

United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996) — Oct 1996

United States v. Marmolejo, 86 F.3d 404, 1996 WL 327636 (5th Cir. June 13, 1996) — Oct 1996

United States v. Voight, 89 F.3d 1050, (3d Cir. 1996) — Aug 1996

United States v. Sokolow, 81 F.3d 397 (3d Cir. 1996) — May 1996

Summary Judgment

United States v. Two Parcels . . . in Russell County, 92 F.3d 1123, 1996 WL 455518 (11th Cir. Aug. 28, 1996) — Oct 1996

United States v. 506,641 in United States Currency, 1996 WL 396082 (N.D.Ill. July 11, 1996) (unpublished) — Sept 1996

Superseding Indictment

United States v. Patel, 1996 WL 166949 (N.D. Ill. Apr. 8, 1996) (unpublished) — May 1996

Supremacy Clause

United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996) — Oct 1996

Takings Clause

Bowman v. United States, 35 Fed. Cl. 397 (Fed.Cl. 1996)	June 1996

Tenancy in Common

United States v. Dethlefs, 934 F. Supp. 475, 1996 WL 447591 (D. Me. July 1, 1996)	Sept 19968

Third Parties

United States v. Patel, 1996 WL 166949 (N.D. Ill. Apr. 8, 1996) (unpublished)	May 1996

Time Limits

United States v. One 1991 Ford Mustang, 909 F. Supp. 831 (D. Colo. 1996)	Mar 1996

Timing

United States v. Arlt, 1996 WL 256600 (9th Cir. May 15, 1996) (unpublished)	July 1996
Dawson v. United States, 77 F.3d 180 (7th Cir. 1996)	Apr 1996
Garcia v. United States, 915 F. Supp. 168 (N.D. Cal. 1996)	Apr 1996
United States v. Gonzalez, 76 F.3d 1339 (5th Cir. 1996)	Mar 1996
United States v. Idowu, 74 F.3d 387 (2nd Cir. 1996)	Feb 1996
United States v. Emmons, 1995 WL 767306 (D. Kan. Dec. 19, 1995) (unpublished)	Jan 1996
United States v. Thompson, 911 F. Supp. 451 (D. Or. 1995)	Jan 1996

Tort Claims Act

Bazuaye v. United States, 83 F.3d 482 (D.C. Cir. 1996)	June 1996

Tracing

United States v. Voight, 89 F.3d 1050, (3d Cir. 1996)	Aug 1996

Uncontested Forfeiture

United States v. Gurs, 83 F.3d 429 (Table), 1996 WL 200998 (9th Cir. Apr. 25, 1996) (unpublished)	June 1996
United States v. Orallo, 1996 WL 183540 (9th Cir. Apr. 12, 1996) (unpublished)	May 1996

United States v. Enigwe, 1996 WL 92076 (E.D. Pa. Mar. 1, 1996) (unpublished) — Apr 1996

United States v. James, 78 F.3d 851 (3d Cir. 1996) — Apr 1996

Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995) — Mar 1996

United States v. Brown, 1996 WL 36098 (4th Cir. Jan. 31, 1996) (unpublished) — Mar 1996

United States v. German, 76 F.3d 315 (10th Cir. 1996) — Mar 1996

United States v. Gonzalez, 76 F.3d 1339 (5th Cir. 1996) — Mar 1996

United States v. Idowu, 74 F.3d 387 (2nd Cir. 1996) — Feb 1996

United States v. Sykes, 73 F.3d 772 (8th Cir. 1996) — Feb 1996

United States v. Barber, 906 F. Supp. 424 (E.D. Mich. 1995) — Jan 1996

United States v. Clementi, 70 F.3d 997 (8th Cir. 1995) — Jan 1996

Untimely Claim

United States v. Castro, 78 F.3d 453 (9th Cir. 1996) — Apr 1996

Use Immunity

United States v. $87,118.00 in United States Currency, 95 F.3d 511, 1996 WL 499243 (7th Cir. Sept. 4, 1996) — Oct 1996

Venue

United States v. Property Identified as $88,260 in U.S. Currency, 925 F. Supp. 838 (D.D.C. 1996) — July 1996

Victim Restitution

United States v. ReaL Property ... 13328 and 13324 State Highway 75 North, 89 F.3d 551, (9th Cir. 1996) — Aug 1996

Vindictive Prosecution

United States v. King, 1996 WL 254647 (D. Kan. Apr. 10, 1996) (unpublished) — July 1996

Waiver

United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished) — Nov 1996

United States v. Baughman, 1996 WL 42117
(D. Kan. Jan. 22. 1996) (unpublished) — Mar 1996

United States v. Cordoba, 71 F.3d 1543 (10th Cir. 1995) — Jan 1996

8th Amendment

United States v. One 1970 36.9' Columbia Sailing Boat,
91 F.3d 1053, (8th Cir. 1996) — Sept 1996

Alphabetical Index

Following is an alphabetical listing of cases that have appeared in *Quick Release* during 1996. The issue in which the case summary was published follows the cite.

Armendariz-Mata v. U.S Department of Justice, 82 F.3d 679 (5th Cir. 1996)	June 1996
Autullo v. United States, 1996 WL 243015 (N.D. Ill. May 10, 1996) (unpublished)	July 1996
Barrera-Montenegro v. United States, 74 F.3d 657 (5th Cir. 1996)	Mar 1996
Bazuaye v. United States, 83 F.3d 482 (D.C. Cir. 1996)	June 1996
Bennis v. Michigan, ___ U.S. ___, 116 S. Ct. 994 (1996)	Apr 1996
Bowman v. United States, 35 Fed. Cl. 397 (Fed.Cl. 1996)	June 1996
Brayman v. United States, 96 F.3d 1061, 1996 WL 502180 (8th Cir. Sept. 4, 1996)	Oct 1996
Bye v. United States, 1996 WL 185723 (S.D.N.Y. Apr. 18, 1996)(unpublished)	May 1996
Chatfield Centre Condominium Association, Inc., v. United States, Phillip May, Frances May, 934 F. Supp. 1247, 1996 WL 492341 (D. Co. Aug. 26, 1996)	Oct 1996
Clark v. United States, 913 F. Supp. 441 (E.D. Va. 1995)	Mar 1996
Concepcion v. United States, ___ F. Supp. ___, 1996 WL 501506 (E.D.N.Y. Aug. 30, 1996)	Nov 1996
Degen v. United States, ___ U.S. ___, 116 S. Ct. 1777 (1996)	July 1996
Dawson v. United States, 77 F.3d 180 (7th Cir. 1996)	Apr 1996
Ferguson v. United States, 911 F. Supp. 424 (C.D. Cal. 1995)	Mar 1996
Garcia v. United States, 915 F. Supp. 168 (N.D. Cal. 1996)	Apr 1996
Gonzales-Rodriguez v. United States, 1996 WL 79416 (N.D. Ill. Feb. 21, 1996) (unpublished)	Apr 1996

Herbert v. United States, 1996 WL 355333 (E.D. Pa. June 25, 1996) (unpublished)	Aug 1996
Infante v. DEA, 938 F. Supp. 1149, 1996 WL 532249 (E.D.N.Y. Sept. 9, 1996)	Nov 1996
In Re Brewer, No. 95-15897-BKC-AJC (Bankr. S.D. Fl. Oct. 8, 1996)	Nov 1996
In re Douglas, 190 B.R. 831 (S.D. Ohio 1995)	Mar 1996
Johnson v. United States, 1996 WL 31230 (E.D.N.Y. Jan. 18, 1996) (unpublished)	Mar 1996
Litzenberger v. United States, 89 F.3d 818, (Fed. Cir. 1996)	Aug 1996
Lopez v. First National Bank, 931 F. Supp. 860, (S.D.Fla. 1996)	Sept 1996
Mapp v. Waller, 1995 WL 758329 (N.D. Ill. Dec. 18, 1995) (unpublished)	Feb 1996
Martinez-Lorenzo v. Wellington, 911 F. Supp. 383 (W.D. Mo. 1995)	Mar 1996
Matthews v. United States, 917 F. Supp. 1090 (E.D. Va. 1996)	Apr 1996
McDonald v. U.S. Drug Enforcement Administration, 1996 WL 157527 (S.D.N.Y. Apr. 3, 1996) (unpublished)	July 1996
United States v. Valencia, 1996 WL 547934 (9th Cir. Sept. 25, 1996) (Table Case)	Nov 1996
Muhammed v. Drug Enforcement Administration, 92 F.3d 648, (8th Cir. 1996)	Sept 1996
Nicholas v. United States, 35 Fed.Cl. 387 (1996)	May 1996
Omoregie v. United States, 1995 WL 761848 (E.D.N.Y. Dec. 20, 1995) (unpublished)	Feb 1996
Ovelles v. United States, 1996 WL 409200 (S.D.N.Y. July 22, 1996) (unpublished)	Sept 1996
Perri v. United States, 35 Fed.Cl. 627 (1996)	July 1996
Pou v. U.S. Drug Enforcement Administration, 923 F. Supp. 573 (S.D.N.Y. 1996)	June 1996
Property Seized v. United States, No. Civ 95-780 TUC RMB (D. Ariz. Nov 28, 1995) (unpublished)	Jan 1996
Rashid v. United States, 1996 WL 421855 (E.D. Pa. July 25, 1996)	Sept 1996
Smith v. United States, 76 F.3d 879 (7th Cir. 1996)	Mar 1996
Stanley v. United States, 932 F.Supp. 418, (E.D.N.Y. 1996)	Sept 1996

Trujillo v. Simer, 934 F. Supp. 1217, 1996 WL 422092 (D. Colo. July 25, 1996)	Sept 1996
United States v. Account #87303569 In the name of Down East Outfitters, Inc. 1996 U.S. Dist. LEXIS 14555 (E.D.N.C. Sept. 11, 1996)	Nov 1996
United States v. All Funds on Deposit...In the Name of Perusa, Inc., 935 F. Supp. 208, 1996 WL 449935 (E.D.N.Y. July 26, 1996)	Sept 1996
United States v. An Antique Platter of Gold, 1995 WL 758762 (S.D.N.Y. Dec. 22, 1995) (unpublished)	Feb 1996
United States v. A Tract of Land . . . 2640 Devils Knob Road, Tiller, Oregon, Case No. 91-6251-HO (D. Or. Jan. 11, 1996) (unpublished)	Feb 1996
United States v. Alcaraz-Garcia, 79 F.3d 769 (9th Cir. 1996)	Apr 1996
United States v. All Assets and Equipment of West Side Building Corp., 1996 WL 6558 (N.D. Ill. Jan. 5, 1996) (unpublished)	Feb 1996
United States v. All Right, Title and Interest in Real Property, 77 F.3d 648 (2d Cir. 1996)	Apr 1996
United States v. All Right, Title and Interest in Real Property Titled in the Name of Taipei Partners, 927 F.Supp. 1324 (D. Hawaii 1996)	June 1996
United States v. An Antique Platter of Gold, 1995 WL 758762 (S.D.N.Y. Dec. 22, 1995) (unpublished)	Feb 1996
United States v. Arit, 1996 WL 256600 (9th Cir. May 15, 1996) (unpublished)	July 1996
United States v. Bajakajian, 84 F.3d 334 (9th Cir. 1996)	June 1996
United States v. Barber, 906 F. Supp. 424 (E.D. Mich. 1995)	Jan 1996
United States v. Basler Turbo-67, 906 F. Supp. 1332 (D. Ariz. 1995)	Jan 1996
United States v. Baughman, 1996 WL 42117 (D. Kan. Jan. 22. 1996) (unpublished)	Mar 1996
United States v. BCCI Holdings (Luxembourg) S.A., 73 F.3d 403 (D.C. Cir. 1996)	Feb 1996
United States v. BCCI Holdings (Luxembourg) S.A. (Petition of American Express Bank), ___ F. Supp. ___, 1996 WL 543434 (D.D.C. Sept. 20, 1996)	Oct 1996
United States v. BCCI Holdings (Luxenbourg) S.A. (In re petition of Ahmed, 923 F. Supp. 264 (D.D.C. 1996)	July 1996

United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of B. Gray Gibbs), 916 F. Supp. 1270 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Richard Eline), 916 F. Supp. 1286 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Banque de Commerce et de Placements), ___ F.R.D. ___, 1996 WL 665618 (D.D.C. Nov. 7, 1996)	Dec 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petition of Indosuez Bank), 916 F. Supp. 1276 (D.D.C. 1996)	Apr 1996
United States v. BCCI Holdings (Luxembourg) S.A. (In re Petitions of General Creditors), 919 F. Supp. 31 (D.D.C. 1996)	Apr 1996
United States v. Bellomo, 96 Cr. 130 (LAK) (E.D.N.Y. Sept. 16, 1996)	Nov 1996
United States v. Bentley, 82 F.3d 222 (8th Cir. 1996)	June 1996
United States v. Bouler, 927 F. Supp. 911, (W.D.N.C. 1996)	July 1996
United States v. Brown, 1996 WL 36098 (4th Cir. Jan. 31, 1996) (unpublished)	Mar 1996
United States v. Brown, 917 F. Supp. 780 (M.D. Ala. 1996)	Apr 1996
United States v. Brunson, 1996 WL 306438 (10th Cir. June 7, 1996) (unpublished)	July 1996
United States v. Buchanan, 70 F.3d 818 (5th Cir. 1995)	Jan 1996
United States v. Burch, 1996 WL 165095 (D. Kan. Feb. 20, 1996) (unpublished)	May 1996
United States v. Caldwell, 88 F.3d 522, (8th Cir. 1996)	Aug 1996
United States v. Castro, 78 F.3d 453 (9th Cir. 1996)	Apr 1996
United States v. Certain Funds Contained In Account ... at the Hong Kong and Shang Hai Banking Corp., 96 F.3d 20, 1996 WL 521188 (2nd Cir. Sept 6, 1996)	Oct 1996
United States v. Certain Funds Contained In Account Nos. 600-306211-006 . . . at the Hong Kong and Shang Hai Banking Corporation, 922 F. Supp. 761 (E.D.N.Y. 1996)	May 1996

United States v. Certain Real Property Located at 11869 Westshore Drive, 70 F.3d 923 (6th Cir. 1995)	Jan 1996
United States v. Clark, 84 F.3d 378 (10th Cir. 1996)	July 1996
United States v. Clementi, 70 F.3d 997 (8th Cir. 1995)	Jan 1996
United States v. Clough, No. 95-8551 (6th Cir. Feb. 13, 1996) (unpublished)	Apr 1996
United States v. Colonial National Bank, N.A., 74 F.3d 486 (4th Cir. 1996)	Mar 1996
United States v. Combs, 1996 WL 583621 (9th Cir. Oct. 9, 1996) (Table Case)	Dec 1996
United States v. Cordoba, 71 F.3d 1543 (10th Cir. 1995)	Jan 1996
United States v. Cox, 83 F.3d 336 (10th Cir. 1996)	June 1996
United States v. Cuellar, 96 F. 3d. 1179, 1996 WL 523671 (9th Cir. Aug. 26, 1996)	Nov 1996
United States v. Curci, No. CR94-285R (W.D. Wash. Nov. 13, 1996)	Dec 1996
United States v. Dansbury, 1996 WL 592645 (E.D. Pa. Oct. 15, 1996) (unpublished)	Nov 1996
United States v. Dean, 80 F.3d 1535 (11th Cir. 1996)	May 1996
United States v. DeFries, 909 F. Supp. 13 (D.D.C. 1995)	Feb 1996
United States v. Dethlefs, 934 F. Supp. 475, 1996 WL 447591 (D. Me. July 1, 1996)	Sept 1996
United States v. D.L. Austin, 914 F. Supp. 441 (D. Kan. 1996)	Mar 1996
United States v. Doyer, 907 F. Supp. 1519 (M.D. Fla. Nov. 22, 1995)	Jan 1996
United States v. Duboc, No. GCR 94-01009-MMP (N.D. Fla. May 9, 1996) (unpublished)	June 1996
United States v. Durham, 86 F.3d 70 (5th Cir. 1996)	July 1996
United States v. Eleven Vehicles, 937 F. Supp. 1143, 1996 WL 512409 (E.D.Pa. Aug. 30, 1996) (unpublished)	Nov 1996
United States v. Emmons, 1995 WL 767306 (D. Kan. Dec. 19, 1995) (unpublished)	Jan 1996
United States v. Enigwe, 1996 WL 92076 (E.D. Pa. Mar. 1, 1996) (unpublished)	Apr 1996

United States v. Escobar, 1996 WL 92074 (E.D. Pa. Feb. 29, 1996) (unpublished)	Apr 1996
United States v. Farley, 919 F. Supp. 276 (S.D. Ohio 1996)	May 1996
United States v. Felber, ___ F. Supp. ___, Cr. No. 94-60044 (D. Or. Oct. 29, 1996)	Dec 1996
United States v. Fitzen, 80 F.3d 387 (9th Cir. 1996)	June 1996
United States v. An Antique Platter of Gold, 1995 WL 758762 (S.D.N.Y. Dec. 22, 1995) (unpublished)	Feb 1996
United States v. Four Miscellaneous Computers, 1996 WL 31983 (9th Cir. Jan. 26, 1996) (unpublished)	Apr 1996
United States v. Funds in the Amount of $228,390 (SISU Corporation), 1996 WL 284943 (N.D. Ill. May 23, 1996) (unpublished)	July 1996
United States v. German, 76 F.3d 315 (10th Cir. 1996)	Mar 1996
United States v. Gonzalez, 76 F.3d 1339 (5th Cir. 1996)	Mar 1996
United States v. Gurs, 83 F.3d 429 (Table), 1996 WL 200998 (9th Cir. Apr. 25, 1996) (unpublished)	June 1996
United States v. Haley, 78 F.3d 282 (7th Cir. 1996)	Apr 1996
United States v. Hentz, 1996 WL 355327 (E.D. Pa. June 20, 1996)	Aug 1996
United States v. Holloway, 74 F.3d 249 (11th Cir. 1996)	Mar 1996
United States v. Houlihan, 92 F.3d 1271, (1st Cir. 1996)	Sept 1996
United States v. Idowu, 74 F.3d 387 (2nd Cir. 1996)	Feb 1996
United States v. Igbonwa, 1996 WL 515517 (E.D.Pa. Aug. 26, 1996) (unpublished)	Oct 1996
United States v. Infelise, 938 F. Supp. 1352, 1996 WL 495552 (N.D. Ill. Aug. 28, 1996)	Oct 1996
United States v. Inufele, 1995 WL 761815 (E.D.N.Y. Dec. 12, 1995) (unpublished)	Feb 1996
United States v. Jackson, 1996 WL 495127 (N.D. Ill. Aug. 28, 1996) (unpublished)	Oct 1996
United States v. James, 78 F.3d 851 (3d Cir. 1996)	Apr 1996
United States v. James, 915 F. Supp. 1092 (S.D. Cal. 1995)	Apr 1996

United States v. King, 1996 WL 254647 (D. Kan. Apr. 10, 1996) (unpublished)	July 1996
United States v. Kramer, ___ F. Supp. ___, 1996 WL 612687 (S.D.Fla. Oct. 17, 1996)	Dec 1996
United States v. Kramer, 73 F.3d 1067 (11th Cir. 1996)	Feb 1996
United States v. Leal, 1996 WL 54236 (N.D. Ill. Feb. 7, 1996) (unpublished)	Apr 1996
United States v. Lester, 85 F.3d 1409 (9th Cir. 1996)	July 1996
United States v. Lewis, 74 F.3d 1247 (9th Cir. 1996)	Feb 1996
United States v. Lopez, 919 F. Supp. 347 (D. Nev. 1996)	Apr 1996
United Statess v. Madden, 95 F.3d 38, 1996 WL 496286 (10th Cir. Sept 1996)	Oct 1996
United States v. Marmolejo, 86 F.3d 404, 1996 WL 327636 (5th Cir. June 13, 1996)	Oct 1996
United States v. McCarroll, No. 95 CR 48 (June 19, 1996) (unpublished)	Aug 1996
United States v. McDermott, 1996 WL 433971 (10th Cir. Aug. 2, 1996) (Table Case)	Sept 1996
United States v. Meola, 1996 WL 223731 (9th Cir. May 3, 1996) (unpublished)	July 1996
United States v. Messino, 917 F. Supp. 1303 (N.D. Ill. 1996)	Apr 1996
United States v. Messino, 907 F. Supp. 1231 (N.D. Ill. 1995)	Feb 1996
United States v. Miguel Angil Gonzalez, 1995 WL 732849 (D. Or. Nov. 27, 1995)(unpublished)	Jan 1996
United States v. Moffitt, Zwerling & Kemler, P.C., 83 F.3d 660 (4th Cir. 1996)	June 1996
United States v. Morgan, 84 F.3d 765 (5th Cir. 1996)	July 1996
United States v. Nauracy, 1996 WL 89083 (N.D. Ill. Feb. 28, 1996) (unpublished)	Apr 1996
United States v. Nunez, CRIM. NO. 1:94CR78-01 (D. Vt. May 24, 1996)	July 1996
United States v. One Gulfstream I Aircraft, 1995 WL 746182 (N.D. Ill. Dec. 15, 1995) (unpublished)	Feb 1996
United States v. One Hundred Thirty Thousand Fifty Two Dollars ($130,052.00) in United States Currency, 909 F. Supp. 1506 (M.D. Ala. 1995)	Mar 1996
United States v. One Parcel of Real Estate at 321 S.E. 9th Court, 914 F. Supp. 522 (S.D. Fla 1995)	Mar 1996

United States v. One Parcel Property Located at Lot 85, ___ F.3d ___, 1996 WL 654445 (10th Cir. Nov. 12, 1996)	Dec 1996
United States v. One Parcel . . . 194 Quaker Farms Road, 85 F.3d 985 1996 (2d Cir. 1996)	July 1996
United States v. One Parcel of Real Property . . . 154 Manley Road, 908 F. Supp. 1070 (D.R.I. 1995)	Jan 1996
United States v. One Parcel of Real Property . . . 88843 Ross Lane, 907 F. Supp. 336 (D. Or. 1995)	Jan 1996
United States v. One Parcel of Property Located at 121 Allen Place, 75 F.3d 118 (2d Cir. 1996)	Mar 1996
United States v. One Parcel Property Located at 427 and 429 South Hall Street, 74 F.3d 1165 (11th Cir. 1996)	Mar 1996
United States v. One Tract of Real Property in District Three of Monroe County, 95 F.3d 422, 1996 WL 511262 (6th Cir. Sept. 10, 1996)	Oct 1996
United States v. One Urban Lot Number 14,126, 941 F. Supp. 19 1996 WL 585582 (D. Puerto Rico Sept. 30, 1996)	
United States v. One 1970 36.9' Columbia Sailing Boat, 91 F.3d 1053, (8th Cir. 1996)	Sept 1996
United States v. One 1973 Beige Rolls Royce, No. 89-6997-CIV-ZLOCH (S.D. Fla. Jan. 16, 1996) (unpublished)	Feb 1996
United States v. One 1986 Mercedes Benz, 1996 WL 208493 (D. Mass. March 6, 1996) (unpublished)	June 1996
United States v. One 1989, 23 Foot, Wellcraft Motor Vessel, 910 F. Supp. 46, (D. P. R. 1995)	Mar 1996
United States v. One 1990 Arctic Cat EXT Snowmobile, 1996 WL 132107 (S.D.N.Y. Mar. 22, 1996) (unpublished)	May 1996
United States v. One 1990 Mercedes Benz, 907 F. Supp. 541 (N.D.N.Y. 1995)	Jan 1996
United States v. One 1990 Mercedes Benz 300CE, VIN WDBA51E8LB183486, 926 F. Supp. 1 (D.D.C. 1996)	July 1996
United States v. One 1991 Ford Mustang, 909 F. Supp. 831 (D. Colo. 1996)	Mar 1996
United States v. Orallo, 1996 WL 183540 (9th Cir. Apr. 12, 1996) (unpublished)	May 1996

United States v. Ownby, 926 F. Supp. 558 (W.D.Va. 1996)	July 1996
United States v. Parcel of Real Property Containing 155 Acres, 1996 WL 408845 (N.D. Miss. July 8, 1996)	Sept 1996
United States v. Parcel of Real Property Containing 47 Acres, 1996 WL 408846 (N.D. Miss. July 8, 1996)	Sept 1996
United States v. Patel, 1996 WL 166949 (N.D. Ill. Apr. 8, 1996) (unpublished)	May 1996
United States v. Pedro Luis Johnson-Johnson, No. CR 91-260-MA, No. CV 95-39-MA, (D. Or. January 26, 1996) (unpublished)	Mar 1996
United States v. Pelullo, 1996 WL 257345 (E.D. Pa. May 10, 1996) (unpublished)	July 1996
United States v. Pena, 920 F. Supp. 639 (E.D. Pa. 1996)	May 1996
United States v. Pena, 918 F. Supp. 1431 (D. Kan. 1996)	Apr 1996
United States v. Pena, 910 F. Supp. 535 (D. Kan. 1995)	Feb 1996
United States v. Pinilla, 1996 WL 145953 (S.D.N.Y. Apr. 1, 1996) (unpublished)	May 1996
United States v. Premises Known as 205 Daystrom Avenue, No. 91-CV-735 (M.D.Pa. Nov. 15, 1996)	Dec 1996
United States v. Premises Known as 205 Daystrom Avenue, ___ F.Supp.___, (M.D.Pa. Aug. 2, 1996)	Sept 1996
United States v. Premises Known as 281 Syosset Woodbury Road, 71 F.3d 1067 (2d Cir. 1995)	Jan 1996
United States v. Premises Known as 6040 Wentworth Avenue, (D. Minn. Feb. 1, 1996)	June 1996
United States v. Property Identified as $88,260 in U.S. Currency, 925 F. Supp. 838 (D.D.C. 1996)	July 1996
United States v. Quinn, 95 F.3d 8, 1996 WL 492198 (8th Cir. Aug. 30, 1996)	Oct 1996
United States v. Quiroz, 1996 WL 277646 (N.D. Ill. May 21, 1996)	July 1996
United States v. Randy, 81 F.3d 65 (7th Cir. 1996)	***July 1996***
United States v. Real Property Described as 3947 Locke Ave., 164 F.R.D. 496 (C.D. Cal. 1995)	Mar 1996

United States v. Real Property Known and Numbered as 429 South Main Street, 906 F. Supp. 1155 (S.D. Ohio 1995)	Jan 1996
United States v. Real Property Located in San Joaquin County at 12900 East Peltier Road, ___ F. Supp. ___, No. Civ. S-93-316 WBS/JFM (E.D. Ca. Nov. 6, 1996)	Dec 1996
United States v. ReaL Property ... 13328 and 13324 State Highway 75 North, 89 F.3d 551, (9th Cir. 1996)	Aug 1996
United States v. Real Property 874 Gartel Drive, 79 F.3d 918 (9th Cir. 1996) (per curiam)	Apr 1996
United States v. Ribadeneira, 920 F.Supp. 553 (S.D.N.Y. 1996)	May 1996
United States v. Richardson, 914 F. Supp 212 (N.D. Ill. 1995)	Jan 1996
United States v. Riley, 78 F.3d 367 (8th Cir. 1996)	Apr 1996
United States v. Robinson, 78 F.3d 172 (5th Cir. 1996)	Apr 1996
United States v. Rogers, 1996 WL 252659 (N.D.N.Y. May 8, 1996)	July 1996
United States v. Rutgard, Cr. No. 94-0408GT (S.D. Cal. Mar. 7, 1996) (unpublished)	Apr 1996
United States v. Saccoccia, 913 F.3d 129 (D.R.I. 1996)	Mar 1996
United States v. Sardone, 94 F.3d 1233, 1996 WL 492690 (9th Cir. Aug. 30, 1996)	Oct 1996
United States v. Schinnell, 80 F.3d 1064 (5th Cir. 1996)	May 1996
United States v. Shannon, 1996 WL 341352 (9th Cir. 1996) (Table Case)	Sept 1996
United States v. Shifflett, 1996 WL 560113 (W.D. Va. Sept. 23, 1996) (unpublished)	Nov 1996
United States v. Silvers, 932 F. Supp. 702, (D. Md. 1996)	Sept 1996
United States v. Slater, 1996 WL 594055 (D. Kan. Sept. 17, 1996)	Nov 1996
United States v. Smith, 75 F.3d 382 (8th Cir. 1996)	Mar 1996
United States v. Sokolow, 81 F.3d 397 (3d Cir. 1996)	May 1996
United States v. Sokolow, 81 F.3d 397 (E.D. Pa. 1996)	Apr 1996
United States v. Strang, 80 F.3d 1214 (7th Cir. 1996)	May 1996

United States v. Sykes, 73 F.3d 772 (8th Cir. 1996)	Feb 1996
United States v. Thompson, 911 F. Supp. 451 (D. Or. 1995)	Jan 1996
United States v. Toyfoya, No. CR-93-0505 EFL (N.D. Cal. May 28, 1996)	July 1996
United States v. Two Parcels . . . In Russell County, 92 F.3d 1123, 1996 WL 455518 (11th Cir. Aug. 28, 1996)	Oct 1996
United States v. Ursery, ___ U.S.___, S.Ct. (1996)	July 1996
United States v. Valencia, 1996 WL 547934 (9th Cir. Sept. 25, 1996) (Table Case)	Nov 1996
United States v. Various Computers, 82 F.3d 582 (3d Cir. 1996)	June 1996
United States v. Various Tracts of Land, 74 F.3d. 197 (10th Cir. 1996)	Feb 1996
United States v. Vega, 72 F.3d 507 (7th Cir. 1995)	Jan 1996
United States v. Voight, 89 F.3d 1050, (3d Cir. 1996)	Aug 1996
United States v. Volanty, 79 F.3d 86 (8th Cir. 1996)	Apr 1996
United States v. Walker, ___ F. Supp. ___, 1996 WL 640832 (D. Co. Nov. 1, 1996)	Dec 1996
United States v. Weaver, 1996 WL 217927 (9th Cir. Apr. 29, 1996) (unpublished)	June 1996
United States v. Weinberger, 91 F. 3d 642, (4th Cir. 1996)	Sept 1996
United States v. 7.6 Acres of Land, 907 F. Supp. 782 (D. Vt. 1995)	Jan 1996
United States v. 829 Calle de Madero, ___ F.3d ___, 1996 WL 654444 (10th Cir. Nov. 12, 1996)	Dec 1996
United States v. 100 Chadwick Drive, 913 F. Supp. 430 (W.D.N.C. 1995)	Feb 1996
United States v. 120 South Wareham Lane, 1996 WL 507244 (N.D. Ill. Sept. 4, 1996)	Nov 1996
United States v. 152 Char-Nor Manor Boulevard, 922 F. Supp. 1064 (D. Md. 1996)	June 1996
United States v. 155 Bemis Road, CA 90-424-B (D.N.H. Nov. 15, 1995) (unpublished)	Jan 1996
United States v. 1989 Ford Aerostar XLT Van, 924 F. Supp. 111 (D. Or. 1996)	June 1996

United States v. 3814 NW Thurman Street, ___ F. Supp. ___, 1996 WL 570460 (D. Or. Oct. 1, 1996)	Nov 1996
United States v. 3814 NW Thurman Street, ___ F. Supp. ___, 1996 WL 663545 (D. Or. Nov. 4, 1996)	Dec 1996
United States v. 4118 West 178th Street, 1995 WL 758436 (N.D. Ill. Dec. 21, 1995) (unpublished)	Feb 1996
United States v. 5709 Hillingdon Road, 919 F. Supp. 863 (W.D.N.C. 1996)	June 1996
United States v. 6652 South Oakley Avenue, 1996 WL 501618 (N.D. Ill. Sept. 3, 1996)	Oct 1996
United States v. 8136 South Dobson, 1996 WL 535146 (N.D. Ill. Sept. 18, 1996) (unpublished)	Nov 1996
United States v. 9844 South Titan Court, 75 F.3d 1470 (10th Cir. 1996)	Mar 1996
United States v. $3,000 in Cash and All Monies From Certain Bank Accounts, 906 F. Supp. 1061 (E.D. Va. 1995)	Jan 1996
United States v. $4,299.32 U.S. Currency, 922 F. Supp. 430 (W.D. Wash. 1996)	June 1996
United States v. $19,047.00 U.S. Currency, 95 F.3d 248, 1996 WL 516990 (2nd Cir. Sept. 12, 1996)	Oct 1996
United States v. $29,126.04 in U.S. Currency, IP-95-748-C-D/F (S.D. Ind. Jan. 17, 1996) (unpublished)	Apr 1996
United States v. $39,873.00, 80 F.3d 317 (8th Cir. 1996)	May 1996
United States v. $61,980 in U.S. Currency, et al., Case No. 5:94 CV 1500 (N.D. Ohio Jan. 30, 1996) (unpublished)	Apr 1996
United States v. $79,000 in Account Number 2168050/6749900, 1996 WL 648934 (S.D.N.Y. Nov. 7, 1996) (unpublished)	Dec 1996
United States v. $83,132.00 in United States Currency, 1996 WL 599725 (E.D.N.Y. Oct. 11, 1996) (unpublished)	Nov 1996
United States v. $87,118.00 in United States Currency, 95 F.3d 511, 1996 WL 499243 (7th Cir. Sept. 4, 1996)	Oct 1996
United States v. $147,000, Civil No. 95-1393 (SEC) (D. Pr. July 2, 1996)	Aug 1996
United States v. $184,505.01 in U.S. Currency, 72 F.3d 1160 (3d Cir. 1995)	Jan 1996

United States v. $200,970, Case No. CV-95-1781 (CPS) (E.D.N.Y. April 30, 1996) (unpublished)	June 1996
United States v. $490,920 in United States Currency, 937 F.Supp. 249, 1996 WL 457288 (S.D.N.Y. Aug. 14, 1996)	Sept 1996
United States v. $506,641.00 in U.S. Currency, 1996 WL 78364 (N.D. Ill. Feb. 20, 1996) (unpublished)	Apr 1996
United States v. 506,641 in United States Currency, 1996 WL 396082 (N.D.Ill. July 11, 1996) (unpublished)	Sept 1996
United States v. U.S. Currency in the Amount of $551,527.00, 1996 WL 612700 (9th Cir. Oct. 21, 1996) (Table Case)	Dec 1996
United States v. $639,470.00, 919 F. Supp. 1405 (C.D. Cal. 1996)	May 1996
United States v. $1,102,720.00 U.S. Currency, 72 F.3d 136 (Table), 1995 WL 746172 (9th Cir. Dec. 15, 1995)	Feb 1996
Zapata v. United States, 1996 WL 617369 (S.D.N.Y. Oct. 25, 1996)	Dec 1996