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United States v. Bajakajian, 524 U.S. 321 (1998)
Brief for United States 20 (quoting United States v. United States Currency in the Amount of One Hundred Forty-Five Thousand, One Hundred Thirty-Nine Dollars , 18 F.3d 73, 75 (CA2), cert. denied sub nom. Elm v. , 524 US 321 United States v. Bajakajian | OpenJurist
Brief for United States 20 (quoting United States v. United States Currency in the Amount of One Hundred Forty-Five Thousand, One Hundred Thirty-Nine Dollars, 18 F.3d 73 , 75 (C.A.2), cert. denied sub nom. Elm v. ,
United States v. Bajakajian :: 524 U.S. 321 (1998 ...
OCTOBER TERM, 1997. Syllabus. UNITED STATES v. BAJAKAJIAN. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT. No. 96-1487. Argued November 4, 1997-
Decided June 22, 1998.
United States v. Bajakajian, 524 U.S. 321 (1998)
United States, 13 Wall. 531, 546-547. Pp. 17-21. 84 F.3d 334, affirmed. Thomas, J., delivered the opinion of the Court, in which Stevens, Souter, Ginsburg, and Breyer, JJ., joined.
U.S. Reports: United States v. Bajakajian, 524 U.S. 321 ...
Chicago citation style: Thomas, Clarence, and Supreme Court Of The United States. U.S. Reports: United States v. Bajakajian, 524 U.S. 321. 1997.
United States v. Bajakajian, 524 U.S. 321, 3 (1998 ...
United States, 8 Cranch 109. Similarly, the early statutes imposing monetary "forfeitures" proportioned to the value of the goods involved were considered not as punishment for an offense, but rather as serving the remedial purpose of reimbursing the Government for the losses accruing from evasion of customs duties. See,
United States v. Bajakajian, 524 U.S. 321, 10 (1998 ...
United States, 96 U. S. 395, 400-401 (1878) (forfeiture of distillery)). In so doing, the Government relies upon a series of cases involving traditional civil in rem forfeitures that are inapposite because such forfeitures were historically considered nonpunitive.
United States v. Bajakajian, 524 U.S. 321, 6 (1998 ...
The United States appealed, seeking full forfeiture of respondent's currency as provided in 982(a)(1). The Court of Appeals for the Ninth Circuit affirmed, 84 F. 3d 334 (1996). Applying Circuit precedent, the court held that, to satisfy the Excessive Fines Clause, a forfeiture must fulfill two conditions: The property forfeited must be an "instrumentality" of the crime committed, and the value of the property must be proportional to the culpability of the

owner.

United States v. Bajakajian, 524 U.S. 321, 18 (1998) ... Respondent owed no customs duties to the Government, and it was perfectly legal for him to possess the \$357,144 in cash and to remove it from the United States. His crime was simply failing to report the wholly legal act of transporting his currency.

United States v. Bajakajian - Wikipedia

United States (2011), the D.C. Circuit applied Bajakajian to the Magnuson Stevens Fishery Conservation and Management Act, upholding fines imposed by NOAA. In *United States v. Lessner* (2007), the Third Circuit applied it to the Mandatory Victims Restitution Act, which established procedures to determine restitution for victims, and upheld a \$938,965.59 restitution order.

[[meta.fullTitle]]

During a routine check of departing international flight passengers, customs officers discovered \$357,144 on the person of Hosep Bajakajian. In addition to charging him, under 31 U.S.C. Section 5316, of attempting to leave the United States with an unreported sum in excess of \$10,000 cash, the government also sought forfeiture of the entire \$

UNITED STATES v. BAJAKAJIAN | FindLaw

United States Supreme Court **UNITED STATES v. BAJAKAJIAN**, (1998) No. 96-1487 Argued: November 4, 1997 Decided: June 22, 1998 After customs inspectors found respondent and his family preparing to board an international flight carrying \$357,144, he was charged with, inter alia, attempting to leave the United States without reporting, as required.

UNITED STATES v. MACKBY | FindLaw

Following the Supreme Court's decision in *United States v. Bajakajian*, 524 U.S. 321, 354, 118 S.Ct. 2028, 141 L.Ed.2d 314 (1998), the district court considered whether the judgment is grossly disproportional to the gravity of a defendant's offense. The court concluded (1) that Mackby was not involved in other illegal activities; (2) that taking into account all 8499 false Medicare claims

United States v. Bajakajian | Cases | US Encyclopedia of Law

United States v. Bajakajian, 524 U.S. 321, 118 S.Ct. 2028, 141 L.Ed.2d 314 (1998). Forfeiture of \$357,144 in currency for transporting more than \$100,000 out of the United States without reporting in violation of 31 U.S.C. 5316(a)(1)(A) is a fine within the meaning of the excessive fines clause and is excessive in violation of the Eighth