

2nd Circ. Ruling Shows Procedural Perils Of Civil Forfeiture

Law360

01.06.2026

In a decision that has caught the attention of prominent civil liberties organizations, the U.S. Court of Appeals for the Second Circuit handed down a ruling last month that underscores the unforgiving procedural complexities of civil asset forfeiture law.

U.S. v. Ross, decided on Dec. 4, illustrates how technical filing requirements can permanently extinguish property rights – even when the property owner claims complete innocence.

The case drew amicus briefs from the Cato Institute, the Institute for Justice, the Goldwater Institute, the Manhattan Institute, the Rutherford Institute and the Buckeye Institute – a rare coalition that signals the broader implications for civil forfeiture reform.

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