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- *From:* gown@xxxxxxxxxxxxxx (Marian)
 - *Date:* Tue, 22 Apr 2008 00:39:58 GMT
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" his transactions was enough to justify the seizure.

[

We have Federal laws against terminating someone's benefits based solely (automatically by computer) on "computer matching" hits of possible ineligibility. But NOTHING to protect us from this nearly IDENTICAL use of computer data to terminate "benefits".

]

* To the government, the question of whether the money had been legally
* earned or was the product of a nefarious drug sale was of no concern.

*

* Maybe worse than the nebulous structuring provision is a feature of the
* same group of laws that places the burden of proof on the victim. In
* other words, rather than the government having to prove that Alvarez
* had violated the statute before it seized his money, Alvarez had to
* prove that he was innocent of any wrongdoing before he could get it
* back. Further adding to the profound unfairness of the seizure process
* is an incredible provision that anyone who wants to challenge an action,
* who wants his day in court, must file a bond with the government of
* either \$5000 or 10 percent of the value of the seized property. Alvarez
* had to borrow the money from his credit cards.

*

* The Assistant U.S. Attorney Jonathon R. Howden, flooded by financial
* statements by Alvarez's defense attorney (who was a retired career
* criminal investigator with the IRS), admitted he would not take the
* case to court. That step took seven months.

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