

22-585 CULLEY V. MARSHALL, ATTORNEY GENERAL OF ALABAMA

DECISION BELOW: 2022 WL 2663643

LOWER COURT CASE NUMBER: 21-13805, 21-13484

QUESTION PRESENTED:

In determining whether the Due Process Clause requires a state or local government to provide a post seizure probable cause hearing prior to a statutory judicial forfeiture proceeding and, if so, when such a hearing must take place, should district courts apply the "speedy trial" test employed in *United States v. \$8,850*, 461 U.S. 555 (1983) and *Barker v. Wingo*, 407 U.S. 514 (1972), as held by the Eleventh Circuit or the three-part due process analysis set forth in *Mathews v. Eldridge*, 424 U.S. 319 (1976) as held by at least the Second, Fifth, Seventh, and Ninth Circuits.

CERT. GRANTED 4/17/2023