

06-9130 ALI V. FED. BUREAU OF PRISONS

DECISION BELOW: 204 Fed. Appx. 778

LOWER COURT CASE NUMBER: 06-11468

QUESTION PRESENTED:

Under 28 U.S.C. 2680(c), the Federal Tort Claims Act's waiver of sovereign immunity does not extend to "[a]ny claim arising in respect of * * * the detention of any goods, merchandise, or other property by any officer of customs or excise or any other law enforcement officer." The question presented, over which ten circuits are divided six—to—four is:

Whether the term "other law enforcement officer" is limited to officers acting in a tax, excise, or customs capacity.

CERT. GRANTED 5/29/2007