

Man Acquitted in Bulk Cash Smuggling Case Sues U.S. for Return of \$10,286 Seized in 2018

Khmarley Mombelly says federal agents seized \$10,286 at Cyril E. King Airport in 2018, he was later acquitted on bulk cash smuggling and false statement charges, and the money has still not been returned despite alleged assurances from federal officials.

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Janeke Simon **July 08, 2026**

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A man acquitted of bulk cash smuggling and related federal charges in 2019 is now suing the United States government for the return of \$10,286 seized from him at Cyril E. King Airport more than seven years ago.

According to the civil complaint, federal agents seized the money from Khmarley Mombelly in October 2018 after he arrived on St. Thomas by ferry from Tortola and later declared at the airport

that he was carrying approximately \$4,000 in cash.

A secondary inspection reportedly revealed that Mombelly had significantly more money than he initially declared, with some of the cash concealed in his luggage and some carried on his person.

He was ultimately charged with bulk cash smuggling, making a false writing and making a false statement. In March 2019, Mombelly was acquitted on all counts.

The lawsuit says that after the acquittal, Mombelly was never provided with “a notice of seizure, a notice of administrative or civil forfeiture, or any other written notice concerning the status or disposition of the currency” as required by law.

More than seven years later, the complaint says, the money has still not been returned despite repeated assurances from several government representatives, “including personnel associated with the United States Attorney’s Office for the District of the Virgin Islands and/or CBP and ICE.”

At first, the lawsuit says, Mombelly was reassured by those statements. “He reasonably understood the return of seized currency following an acquittal to be a routine administrative process that, while regrettably slow, was proceeding.”

However, after more time passed with no money returned, Mombelly instructed his attorney to file a motion seeking the return of his property. According to the lawsuit, “that motion was never docketed by the Clerk of this Court, and no ruling on it has ever [been] issued.”

Mombelly is asking the court to order the immediate return of the seized currency. He is also asking the court to declare that any civil or administrative forfeiture decision that may exist is invalid and must be set aside.

The listed defendants are the United States of America, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the U.S. Department of Homeland Security.

As of press time, the defendants had not filed a response to the civil complaint.