BIRD MARELLA LLP

BIRD • MARELLA • RHOW • LINCENBERG • DROOKS • NESSIM

Gary Lincenberg and Michael Landman Author Article Discussing the Legality of the Abduction of Venezuelan President Nicolás Maduro

Bird Marella partners Gary Lincenberg and Michael Landman authored "The Legality of the U.S. Abduction of Venezuelan President Nicolás Maduro," published by *The International Academy of Financial Crime Litigators*. The piece examines whether the United States can lawfully abduct and prosecute a sitting foreign head of state. Drawing on decades of Supreme Court precedent, Mr. Lincenberg and Mr. Landman explore how Nicolás Maduro's case could test the limits of U.S. criminal jurisdiction, extradition law, and executive power.

The authors explain that while U.S. courts have historically allowed prosecutions to proceed despite irregular foreign apprehensions, Maduro's case presents facts not previously addressed by the courts: the forcible removal of a sitting president from a treaty partner nation that would certainly have refused extradition under its own laws and treaty obligations. The article explores whether these distinctions could prompt courts to reconsider the reach of the longstanding *Ker-Frisbie* doctrine and define the limits of U.S. authority in an increasingly complex international legal landscape.

Read the article in its entirety here.