

The \$314 Million Unconstitutional Shakedown: How the Supreme Court Just Blew Up Judge Kearney's Draconian Sentence of Joseph LaForte

By: Freedom Fighters of America

For years, the federal government has played a dirty, semantic game in our courtrooms. When they want to ruin a man financially, they do not just hand down a criminal fine—because criminal fines are subject to the United States Constitution. Instead, they slap labels like "civil penalty," "forfeiture," and "restitution" onto hundreds of millions of dollars in financial demands. They bypass the Eighth Amendment, strip the defendant of his assets, and call it justice.

But the game is officially over.

In a massive, 9-0 unanimous decision this year, the Supreme Court handed down *Ellingburg v. United States* (2026), finally drawing a hard line in the sand against federal financial overreach. The Court ruled that monetary restitution imposed under the Mandatory Victims Restitution Act (MVRA) is not some benign "civil remedy." It is a criminal punishment.

And that ruling just threw the entire foundation of Joseph LaForte's draconian March 2025 sentencing in the Par Funding case into serious constitutional jeopardy.

The Draconian Stacking by Judge Mark Kearney

To understand how weaponized the justice system has become, you must look at exactly what happened in the Eastern District of Pennsylvania on March 26, 2025. When liberal Judge Mark A. Kearney sentenced Joseph LaForte, he did not just hand down an aggressive 15.5-year prison term. He deliberately and systematically stacked financial penalties to an absurd, unconstitutional degree.

Judge Kearney ordered LaForte to pay:

- \$314 million in restitution.

- A \$120 million forfeiture money judgment.

- Forfeiture of massive physical and liquid assets, including an investment account holding over \$20 million and a private jet.

- A \$50,000 criminal fine.

This was not justice; this was a financial execution. By stacking forfeiture on top of hundreds of millions in restitution, the court sought to punish the same conduct multiple times over, pushing the total financial penalty well past the half-billion-dollar mark. For years, judges like Kearney have justified this kind of staggering financial ruin by pretending that restitution is merely a

"civil" accounting measure, keeping it safely out of reach of the Constitution's protections against government overreach.

The Ellingburg Reality Check: The 8th Amendment Still Exists

This is exactly why the Ellingburg decision is a legal earthquake. By unanimously declaring that federal restitution is a strict criminal punishment, the Supreme Court has stripped away the "civil" disguise judges have been using to bankrupt defendants.

Because that \$314 million Par Funding restitution order is now undeniably classified as a criminal punishment, it is squarely in the crosshairs of the Eighth Amendment, which clearly states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

When you take a 15.5-year prison sentence and stack it with \$120 million in forfeiture, stripping away all physical assets, and then pile an additional \$314 million in what the Supreme Court now officially recognizes as a criminal punishment, you have crossed the line from restitution into an unconstitutional, excessive fine. It is the definition of disproportionate retribution.

What This Means Going Forward

The system relies on the assumption that nobody will check their math, and nobody will challenge their authority. They rely on "civil" labels to justify the unjustifiable. But Ellingburg has exposed the playbook.

Judge Kearney's stacked sentencing in the Par Funding case is a textbook example of the draconian overreaching the Supreme Court just unanimously struck down in principle. The Eighth Amendment is not a suggestion, and the government cannot just rebrand a financial death sentence to avoid the Constitution. The precedent is set, the legal landscape has shifted, and sentences that rely on this kind of unconstitutional penalty stacking are now standing on borrowed time.