

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2011

SAMUEL JOHNSON,

Appellant,

v.

CASE NO. 5D10-3300

STATE OF FLORIDA,

Appellee.

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Opinion filed September 23, 2011

Appeal from the Circuit Court for Flagler County,
Kim C. Hammond, Judge.

Samuel E. Johnson, Wewahitchka, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee,
and Bonnie Jean Parrish, Assistant Attorney
General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Sarmiento v. State*, 816 So. 2d 826, 827 (Fla. 3d DCA 2002) (denial of petition for return of property was affirmed “where civil forfeiture proceedings against the property were pending at the time of the filing of the petition”); *City of Miami v. Barclay*, 563 So. 2d 203, 204 (Fla. 3d DCA 1990) (“a defendant is not entitled to have his vehicle returned during the pendency of the forfeiture proceeding”).

TORPY, LAWSON and EVANDER, JJ., concur.