

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

CHRISTINA AUDRA GRANT,
Appellant,

v.

LANTANA POLICE DEPARTMENT, a municipal police agency, by
Richard Lincoln in his official capacity as the Chief Administrative
Official; and **STEVEN STANLEY OLIVER,**
Appellees.

No. 4D06-3505

[November 7, 2007]

PER CURIAM.

This is an appeal from a summary final judgment in a forfeiture action concerning a 2004 Dodge Ram Pickup. In the light most favorable to appellant, based on her testimony at the probable cause hearing and her brother's affidavit, issues of fact remained as to whether she was an "innocent owner" at the time the truck was seized. See § 932.703(6)(A), Fla. Stat. (2006). We therefore reverse the summary final judgment.

Reversed and remanded.

KLEIN, GROSS, JJ., and EMAS, KEVIN M., Associate Judge, concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Thomas Barkdull, III, Judge; L.T. Case No. 502005CA000708XXXXMB.

Alexander R. Brumfield, III, of Alexander R. Brumfield, III, P.A., West Palm Beach, for appellant.

David Pleasanton of Law Offices of David Pleasanton, P.A., West Palm Beach, for Appellee-Lantana Police Department.

Not final until disposition of timely filed motion for rehearing