

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION AND,  
IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, 2003

HABBY PIERRE KHAWLY,

\*\*

Appellant,

\*\*

vs.

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CASE NO. 3D03-959

MIAMI-DADE POLICE DEPT.,

\*\*

LOWER

TRIBUNAL NO. 03-3429

Appellee.

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Opinion filed December 3, 2003.

An Appeal from the Circuit Court for Dade County, Jeri B. Cohen, Judge.

Ronald S. Lowy, for appellant.

Roberto E. Fiallo and Robert Knabe, for appellee.

Before COPE, LEVY, and SHEVIN, JJ.

PER CURIAM.

The finding of the trial court that Petitioner, Habby Pierre Khawly, lacked standing, was made without a full, evidentiary

hearing on the issue of standing. See Office of the State Attorney v. Jimenez, 845 So. 2d 914 (Fla. 3d DCA 2003) ("The inquiry on standing is simply to determine whether the claimant has shown an ownership interest such that he is entitled to be heard in the forfeiture proceeding."); Vasquez v. State, 777 So. 2d 1200, 1202 (Fla. 3d DCA 2001) (A claimant should not have to prove her or his case to establish standing to contest a forfeiture.). Accordingly, we reverse the matter and remand to the trial court for further proceedings.

Reversed and remanded.