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SUPREME COURT OF ARKANSAS

No. 10-284

DARNELL PORTER, \$366.00 IN
UNITED STATES CURRENCY, LG
CELL PHONE SN 905KPNT725423, I-
PHONE SN 829238G4Y7H

Petitioners

v.

STATE OF ARKANSAS

Respondent

Opinion Delivered May 6, 2010

PRO SE MOTION FOR BELATED
APPEAL [CIRCUIT COURT OF
FAULKNER COUNTY, CV 2009-
1046, HON. DAVID L. REYNOLDS,
JUDGE]

MOTION DENIED.

PER CURIAM

In 2009, an *in rem* complaint was filed in the Circuit Court of Faulkner County seeking forfeiture by petitioner Darnell Porter of certain property that had been seized as the proceeds of illegal activity. On October 20, 2009, the court granted the State's motion for default judgment. No appeal was taken by petitioner, and he now seeks leave to proceed with a belated appeal.

Forfeiture matters arising from criminal cases are considered *in rem* civil actions. *State v. One 1993 Toyota Camry*, 333 Ark. 503, 969 S.W.2d 663 (1998). Our rules of civil procedure do not provide for a belated appeal in civil cases. *See* Ark. R. App. P.–Civ. 4 (2009); *Douglas v. State*, 2009 Ark. 427 (per curiam) (citing *Butcher v. State*, 345 Ark. 222, 45 S.W.3d 378 (2001) (per curiam)). Accordingly, petitioner is not entitled to pursue a belated appeal from the order entered in this civil forfeiture matter.

Motion denied.