

White v. State

During a traffic stop, a police officer noted that the identification numbers were missing from various components of the defendant's truck. The police confiscated the truck and the state sought possession of the components which could not be traced to a legitimate source. The court ordered forfeiture of these components. The day after the hearing, the defendant filed notice of intent to appeal. In the weeks following entry of the court's judgment, defendant filed several motions and posted a deposit for the appeal.

In reviewing the case, the court determined that the Legislature had expressed its intent that an appeal of such a proceeding must be perfected within one day of the hearing by giving notice of intent to appeal at the end of the hearing and by posting appeal bond by the conclusion of the next business day. The court went on to interpret the one day limit to begin running once the judgment had been reduced to writing and delivered to the defendant. Here, the defendant had provided notice of his intent to appeal before the written judgment was provided, which the court found to be in compliance with the statute. However, the court went on to decide that the posting of bond, which had not occurred until more than one day after written judgment was entered, was untimely, and that therefore the appeal was barred.