

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellant,

v

FIVE HUNDRED FIFTY EIGHT DOLLARS U.S.
CURRENCY and 1997 VOLKSWAGEN
BEETLE,

Defendant,

and

BRON EDWARD BASTIAN,

Claimant-Appellee.

UNPUBLISHED

June 24, 2003

No. 239152

Tuscola Circuit Court

LC No. 01-020433-PZ

Before: Sawyer, P.J., and Meter and Schuette, JJ.

MEMORANDUM.

The people appeal as of right the order dismissing this drug forfeiture action for lack of jurisdiction because the amount in controversy was less than \$25,000.00. We reverse. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

A drug forfeiture is a civil action that is equitable in nature. *In re Forfeiture of \$1,159,420*, 194 Mich App 134, 154-155; 486 NW2d 326 (1992). The circuit court has jurisdiction over equitable matters. MCL 600.601. District courts have exclusive jurisdiction in civil actions when the amount in controversy does not exceed \$25,000.00. MCL 600.8301. They also have limited equitable jurisdiction. MCL 600.8302. They have equitable jurisdiction over forfeiture matters brought under chapter 47. MCL 600.8303.

Chapter 47 concerns forfeiture actions connected with certain enumerated crimes. MCL 600.4701. Drug offenses are not included within those crimes. The exclusion of drug forfeitures from the listing of types of forfeitures within the jurisdiction of the district court implies that the Legislature intended to exclude drug forfeitures from district court jurisdiction. *In re MCI Telecommunications Complaint*, 460 Mich 396, 415; 596 NW2d 164 (1999).

MCL 333.7522 provides that property that is subject to drug forfeiture provisions may be seized upon process issued by the circuit court having jurisdiction over the property. MCL 333.7524a requires local units of government to submit reports regarding forfeiture proceedings that were instituted in circuit court. There is no mention of district courts in either of these sections. These provisions indicate that the Legislature intended for the circuit court to have exclusive jurisdiction over drug forfeiture proceedings.

Reversed.

/s/ David H. Sawyer

/s/ Patrick M. Meter

/s/ Bill Schuette