## IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK JOHNS,

Appellant,

vs.

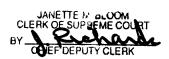
LAS VEGAS METROPOLITAN POLICE DEPARTMENT,

Respondent.

No. 36843

FILED

JAN 04 2002



## ORDER OF AFFIRMANCE

This is a proper person appeal from a default judgment in a civil forfeiture action. We have reviewed the record, and we conclude that appellant's \$340 was forfeited in compliance with statutory and constitutional norms.<sup>1</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

Agosti

Leavitt

<sup>1</sup>See Nev. Const. art. 1, § 6 (prohibiting the imposition of excessive fines); <u>id.</u> § 8(5) (providing that "[n]o person shall be deprived of life, liberty, or property, without due process of law"); <u>id.</u> art. 4, § 21 (requiring that all laws "be general and of uniform operation throughout the State"); <u>Levingston v. Washoe County</u>, 114 Nev. 306, 956 P.2d 84 (1998) (rejecting a double jeopardy challenge to Nevada's civil forfeiture statutes), <u>modifying on rehearing</u>, 112 Nev. 479, 916 P.2d 163 (1996); NRS 453.301(9) (subjecting to forfeiture all proceeds traceable to an exchange for a controlled substance and all property intended to be used to facilitate a violation of the Uniform Controlled Substances Act); NRS 179.1171 (establishing procedures for civil forfeiture actions).

<sup>2</sup>Because the district court granted appellant leave to proceed in forma pauperis, we deny as most appellant's affidavit request to proceed in forma pauperis. See NRAP 24(a).

J.

J.

cc: Hon. Michael A. Cherry, District Judge Clark County District Attorney Mark Johns Clark County Clerk