

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PAUL ALEXANDER KING,

Defendant-Appellant.

UNPUBLISHED

February 21, 1997

No. 191283

Jackson Circuit Court

LC No. 95-72176-FH

Before: Fitzgerald, P.J., and Holbrook, Jr., and E.R. Post,* JJ.

MEMORANDUM.

Defendant was charged with carrying a concealed weapon, possession of marijuana, and failure to transfer registration of a motor vehicle. He was found guilty following a bench trial of the concealed weapon charge, MCL 750.227; MSA 28.424, and the remaining charges were dismissed. He appeals as of right and we affirm.

Before trial, defendant had moved unsuccessfully to suppress the evidence seized during the search of his vehicle, arguing that the search was a violation of the Fourth Amendment to the United States Constitution. Given the facts of this case, we find that a misdemeanor violation of the motor vehicle code was committed in the arresting officers' presence. See MCL 257.233; MSA 9.1923, MCL 257.256; MSA 9.1956. Accordingly, the resulting search of defendant's vehicle was valid under MCL 764.15; MSA 28.874, and defendant's motion to suppress was properly denied.

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Donald E. Holbrook, Jr.

/s/ Edward R. Post

* Circuit judge, sitting on the Court of Appeals by assignment.