

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CHARLES HOWARD DUNSON,

Defendant-Appellant.

UNPUBLISHED

March 28, 2000

No. 212108

Wayne Circuit Court

Criminal Division

LC No. 97-502387

Before: Wilder, P.J., and Sawyer and Markey, JJ.

MEMORANDUM.

Defendant appeals as of right his conviction for carrying a concealed weapon, MCL 750.227; MSA 28.424, entered after a bench trial. We affirm.

On appeal, defendant argues that the trial court erred in denying his motion to suppress, based on an improper stop. We disagree.

The arresting officer was responding to a complaint of a man ringing a doorbell at 3:55 a.m. As he responded, the officer saw defendant, who met the general description given by the caller, coming from the direction of the call. As the officer approached, defendant began walking faster. When the officer questioned him, defendant backed away, and appeared to be hiding something in his pocket. When the officer performed a pat down search, he found the magazine of a gun in defendant's pocket. A search of the area produced the gun that matched the magazine nearby.

An investigatory stop must be founded on a particularized suspicion, based on an objective observation of the totality of the circumstances, that the person stopped had been, is, or is about to be involved in criminal wrongdoing. *People v McCrady*, 213 Mich App 474; 540 NW2d 718 (1995). On the basis of a reasonable suspicion of criminal activity and reasonable fear for the safety of himself and others, a police officer may pat down an individual for the limited purpose of discovering weapons. *Id.* This Court will not disturb a trial court's factual finding on a suppression hearing unless that ruling is found to be clearly erroneous. *People v Chambers*, 195 Mich App 118, 121; 489 NW2d 168 (1992). The question whether a suspicion was reasonable is reviewed de novo as a matter of law. *People v Bloxson*, 205 Mich App 236, 244; 517 NW2d 563 (1994).

The totality of the circumstances showed that the officer had a particularized suspicion that defendant had been engaged in criminal wrongdoing. The trial court did not err in denying the motion to suppress. *People v Champion*, 452 Mich 92; 549 NW2d 849 (1996).

Affirmed.

/s/ Kurtis T. Wilder
/s/ David H. Sawyer
/s/ Jane E. Markey