

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

THOMAS PRATHER, JR.,

Defendant-Appellant.

UNPUBLISHED

August 17, 2001

No. 225347

Wayne Circuit Court

LC No. 99-001009

Before: Wilder, P.J., and Hood and Griffin, JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of larceny from a motor vehicle, MCL 750.356a. The trial court sentenced him to one year of probation. Defendant appeals as of right and we affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant's sole claim on appeal is that the trial court clearly erred in finding that the police witnesses were more credible than defendant. Credibility issues are for the trier of fact and this Court gives due regard to the special opportunity and ability of the trial judge to determine witnesses' credibility. *People v Wolfe*, 440 Mich 508, 514-515; 489 NW2d 748 (1992), amended 441 Mich 1201 (1992); *In re Hardin*, 184 Mich App 107, 109; 457 NW2d 347 (1990). Accordingly, this Court will rarely overturn a conviction where the only issue is witness credibility. *People v Crump*, 216 Mich App 210, 215-216; 549 NW2d 36 (1996), lv den 454 Mich 877 (1997). Because the judge's findings of fact were supported by the evidence and were not clearly erroneous, we decline to do so here.

Affirmed.

/s/ Kurtis T. Wilder

/s/ Harold Hood

/s/ Richard Allen Griffin