

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DREMayNEE STROTHER,

Defendant-Appellant.

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UNPUBLISHED

September 30, 2004

No. 247488

Berrien Circuit Court

LC No. 02-402891-FH

Before: Borrello, P.J., and Murray and Fort Hood, JJ.

MEMORANDUM.

Defendant appeals as of right his jury conviction for carrying a concealed weapon, MCL 750.227. We affirm.

On appeal, defendant argues that the trial court erred in denying his motion to suppress, based on illegal traffic stop. This Court's review of a lower court's factual findings in a suppression hearing is limited to clear error. We review de novo the lower court's ultimate ruling with regard to the motion to suppress. *People v Marcus Davis*, 250 Mich App 357, 362; 649 NW2d 94 (2002).

To lawfully stop a vehicle, a police officer must have a particularized suspicion, based on an objective observation, that the person stopped has been, is, or is about to be engaged in criminal wrongdoing. *People v Peebles*, 216 Mich App 661, 665; 550 NW2d 589 (1996). As long as an officer had probable cause to believe that a traffic violation has occurred, the resulting stop is not unlawful and does not violate the Fourth Amendment. *Marcus Davis, supra*, 363.

Here, the officer observed defendant driving erratically and he saw a traffic violation before he stopped defendant's car. The trial court did not clearly err in accepting the officer's version of the events. Given that factual basis, the stop was lawful, and the court properly denied the motion to suppress.

Affirmed.

/s/ Stephen L. Borrello  
/s/ Christopher M. Murray  
/s/ Karen M. Fort Hood