

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LYNN ANN STIER,

Defendant-Appellant.

UNPUBLISHED

July 19, 1996

No. 182610

LC No. 94-101034-FH

Before: O'Connell, P.J., and Sawyer and G.R. Corsiglia,* JJ.

MEMORANDUM.

Defendant pled guilty to possession of less than 25 grams of cocaine, MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v). She was sentenced to probation and a suspended jail term. She now appeals and we affirm.

Defendant's only argument on appeal is that the trial court erred in denying her motion to suppress from evidence the cocaine found in her purse. We disagree. This case originated with a traffic stop. During the course of the stop, the officer noted that defendant was acting in a nervous manner. The officer conducted a visual inspection of the car by shining his flashlight through the window. During that inspection, the officer noticed a trifold piece of paper sticking out of the top of a cigarette package in defendant's purse. The officer testified that in his experience such a container was associated with illegal drugs, most commonly cocaine. He seized the trifold, opened it and discovered that it did, in fact, contain cocaine.

At issue is whether the officer acted properly in seizing the trifold packet. Defendant does not contest that the search and seizure would be valid if the officer had probable cause. Rather, defendant argues that the officer did not possess probable cause. We disagree. Based upon defendant's nervous conduct, the officer's experience with trifolds being used to transport drugs, as well as the location of the trifold inside the cigarette container, we are satisfied that there was probable cause to believe the

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

trifold contained contraband, thus justifying the search. Cf. *People v Champion*, 452 Mich ____; -
____ NW2d ____ (Docket No. 100138, rel'd July 2, 1996).

Affirmed.

/s/ Peter D. O'Connell

/s/ David H. Sawyer

/s/ George R. Corsiglia