

COURT OF APPEALS OF VIRGINIA

Present: Judges Baker, Annunziata and Overton
Argued at Norfolk, Virginia

WILLIE ROOSEVELT MORRING

v. Record No. 0821-96-1

COMMONWEALTH OF VIRGINIA

MEMORANDUM OPINION* BY
JUDGE NELSON T. OVERTON
APRIL 29, 1997

FROM THE CIRCUIT COURT OF THE CITY OF NORFOLK
Luther C. Edmonds, Judge

Wesley A. Murphy for appellant.

Leah A. Darron, Assistant Attorney General
(James S. Gilmore, III, Attorney General, on
brief), for appellee.

Willie Roosevelt Morring was convicted of possession of a concealed firearm in violation of Code § 18.2-308 and possession of a firearm by a convicted felon in violation of Code § 18.2-308.2. He appeals, contending that the evidence is insufficient to support the convictions.

The parties are fully conversant with the record in the cause, and because this memorandum opinion carries no precedential value, no recitation of the facts is necessary.

On appeal, the evidence must be viewed in a light most favorable to the Commonwealth and given all inferences fairly deducible therefrom. See Higginbotham v. Commonwealth, 216 Va. 349, 352, 218 S.E.2d 534, 537 (1975). Furthermore, the

*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

credibility of the witnesses and the weight assigned their testimony are matters exclusively for the fact finder. See Coppola v. Commonwealth, 220 Va. 243, 252, 257 S.E.2d 797, 803 (1979). Indeed, if the fact finder believes a defendant did not tell the truth, he may reject the defendant's testimony and infer that the defendant lied to conceal guilt. See Black v. Commonwealth, 222 Va. 838, 840, 284 S.E.2d 608, 609 (1981).

The trial court in this case believed the testimony of the police officers. The officers testified that Moring was reaching in an area where a loaded gun was later found. The court rejected Moring's own testimony that contradicted the officers' and may have inferred guilt from his lying. The evidence amply supports a conviction for possession of a concealed weapon.

Affirmed.