

COURT OF APPEALS OF VIRGINIA

Before Judges Baker, Annunziata and Senior Judge Hodges

COMMONWEALTH OF VIRGINIA

v. Record No. 1477-95-1

LOUIS BERNARD McCLEAN

MEMORANDUM OPINION\*  
BY JUDGE JOSEPH E. BAKER  
FEBRUARY 13, 1996

FROM THE CIRCUIT COURT OF THE CITY OF NORFOLK  
Lydia Calvert Taylor, Judge

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

Michael J. Woods (Wilcox & Woods, P.C., on  
brief), for appellee.

In this appeal from the Circuit Court of the City of Norfolk (trial court), the Commonwealth contends that the trial court erroneously sustained the motion of Louis Bernard McClean (appellee) to suppress evidence obtained from appellee's person during a police search.

We have reviewed the record and, for the reasons set forth in the opinion of the trial court, agree that the search of appellee conducted by Officer Eicher violated appellee's Fourth Amendment rights.

Accordingly, the judgment of the trial court is affirmed.

Affirmed.

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