

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

March 18, 1999

Marilyn L. Graves  
Clerk, Court of Appeals  
of Wisconsin

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

**No. 98-0688-CR**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT IV**

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**STATE OF WISCONSIN,**

**PLAINTIFF-RESPONDENT,**

**v.**

**QUATHICO D. LOVE,**

**DEFENDANT-APPELLANT.**

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APPEAL from a judgment of the circuit court for Dane County:  
STUART A. SCHWARTZ, Judge. *Affirmed.*

Before Eich, Roggensack and Deininger, JJ.

PER CURIAM. Quathico D. Love appeals from a judgment of conviction for a controlled substance violation. The issue is whether the court's finding that he consented to a search was clearly erroneous. We conclude it was not, and we affirm.

The testimony need not be summarized in detail. Love was searched by two officers in a convenience store. He moved to suppress certain evidence seized in the search. He testified that he did not consent to the search of his person, but the officers testified that he did. The trial court found the officers more credible.

The parties agree that this is a question of fact we review using the clearly erroneous standard, and that under this standard, we affirm unless no fact finder could believe the testimony. Love argues various reasons why his testimony was more credible, and we agree that his account is not implausible. However, it is not so compelling that no fact finder could choose to believe the officers' testimony instead. Therefore, we accept the trial court's credibility determination.

*By the Court.*—Judgment affirmed.

This opinion will not be published. *See* RULE 809.23(1)(b)5, STATS.

