

NOT DESIGNATED FOR PUBLICATION

No. 124,886

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

STATE OF KANSAS,
Appellee,

v.

TANNER JOHN GUYTON,
Appellant.

MEMORANDUM OPINION

Appeal from Barton District Court; CAREY L. HIPP, judge. Opinion filed February 17, 2023.
Affirmed.

Submitted by the parties for summary disposition under K.S.A. 2021 Supp. 21-6820(g) and (h).

Before SCHROEDER, P.J., WARNER and CLINE, JJ.

PER CURIAM: Tanner John Guyton claims the district court abused its discretion when it revoked his probation and ordered him to serve his underlying prison sentence. We granted his unopposed motion for summary disposition under Supreme Court Rule 7.041A (2022 Kan. S. Ct. R. at 48).

Guyton admits the district court had the legal authority to revoke his probation since he received probation as the result of a dispositional departure. K.S.A. 2020 Supp. 22-3716(c)(7)(B). Alternatively, the court had the legal authority to revoke his probation since it found he committed new felonies while on probation. K.S.A. 2020 Supp. 22-3716(c)(7)(C).

After carefully reviewing the entire record on appeal, we conclude the district court acted within its discretion and within the applicable guidelines set forth in K.S.A. 2020 Supp. 22-3716(c)(7)(B) and (c)(7)(C) when it revoked Guyton's probation and imposed his underlying prison sentence.

Affirmed under Rule 7.041A(d).