

NOT DESIGNATED FOR PUBLICATION

No. 125,503

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

STATE OF KANSAS,
Appellee,

v.

XAVIER J. BROWN,
Appellant.

MEMORANDUM OPINION

Appeal from Sedgwick District Court; CHRISTOPHER M. MAGANA, judge. Opinion filed March 17, 2023. Affirmed.

Submitted by the parties for summary disposition under K.S.A. 2022 Supp. 21-6820(g) and (h).

Before GREEN, P.J., HILL and COBLE, JJ.

PER CURIAM: Xavier J. Brown appeals the district court's revocation of his probation. We granted Brown's motion for summary disposition under Kansas Supreme Court Rule 7.041A (2023 Kan. S. Ct. R. at 48). The State's response agreed that summary disposition is appropriate. Finding no error, we affirm under Supreme Court Rule 7.042(b)(6) (2023 Kan. S. Ct. R. at 49).

In consolidated cases, Brown pleaded guilty to aggravated domestic battery, in violation of K.S.A. 2021 Supp. 21-5414(b)(1), in No. 22CR0437; and to two counts of domestic battery, in violation of K.S.A. 2021 Supp. 21-5414(a)(2), and violation of a protective order, in violation of K.S.A. 2021 Supp. 21-5924(a)(4), in No. 22CR0469. At sentencing, the district court granted him probation for 24 months, with an underlying

sentence of 34 months in custody. Later, when Brown stipulated to committing a new crime, among several other violations, the district court revoked his probation and imposed a modified custody sentence.

We have reviewed the record on appeal and conclude that the district court acted within its discretion and within the guidelines set forth in K.S.A. 2022 Supp. 22-3716(c)(7)(C) when it revoked Brown's probation and imposed a modified sentence of incarceration.

Affirmed under Rule 7.042(b)(6).