NOT DESIGNATED FOR PUBLICATION

No. 114,668

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

STATE OF KANSAS,
Appellee,

v.

LAMONT BARRY COX,
Appellant.

MEMORANDUM OPINION

Appeal from Riley District Court; MERYL D. WILSON, judge. Opinion filed May 20, 2016. Appeal dismissed.

Submitted for summary disposition pursuant to K.S.A. 2015 Supp. 21-6820(g) and (h).

Before MALONE, C.J., LEBEN, J., and JOHNSON, S.J.

Per Curiam: Lamont Barry Cox appeals his sentence following his convictions of rape and aggravated criminal sodomy. We granted Cox's motion for summary disposition in lieu of briefs pursuant to Supreme Court Rule 7.041A (2015 Kan. Ct. R. Annot. 67). The State has filed no response. We dismiss Cox's appeal for lack of jurisdiction.

On July 1, 2015, pursuant to a plea agreement, Cox pled no contest to one count of rape and one count of aggravated criminal sodomy, off-grid felonies. Specifically, Cox was charged with raping and sodomizing his girlfriend's 6-year-old daughter. On August 10, 2015, the district court granted Cox's motion for a durational departure from a life sentence for each count under Jessica's Law and imposed a controlling sentence under the Kansas sentencing grid of 155 months' imprisonment. The district court granted the

departure "pursuant to the written plea agreement" between the parties. Cox's public defender filed a notice of appeal.

On appeal, Cox argues that "the district court erred in sentencing him." But as Cox acknowledges, an appellate court shall not review any sentence resulting from an agreement between the State and the defendant, which the sentencing court approves on the record. See K.S.A. 2015 Supp. 21-6820(c)(2); *State v. Starks*, 20 Kan. App. 2d 179, 183, 885 P.2d 387 (1994). That is the situation we have here. Cox entered into a plea agreement to receive a 155-month sentence. The district court approved the plea agreement on the record and imposed the sentence that Cox requested. Thus, we lack jurisdiction to review Cox's sentence for any claimed error.

Appeal dismissed.