



In the Missouri Court of Appeals
Eastern District

DIVISION FOUR

STATE OF MISSOURI,)	No. ED90641
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court
)	of Montgomery County
vs.)	06BB-CR00807-02
)	
DAVID C. SANNING,)	Honorable Kelly Broniec
)	
Defendant/Appellant.)	FILED: November 18, 2008

OPINION SUMMARY

David C. Sanning (Defendant) appeals from a judgment of conviction claiming that the State failed to present sufficient evidence to make a submissible case on the charge of failure to appear for confinement, in violation of Section 575.220¹.

APPEAL DISMISSED.

Division Four Holds: Because Defendant agreed at sentencing to waive his rights to file a direct appeal in exchange for the State's recommendation of a two-year sentence and because Defendant voluntarily, knowingly, and intelligently waived those rights, Defendant received "the benefit of the bargain," and this Court is precluded from reviewing Defendant's appeal challenging the sufficiency of the evidence to support his conviction.

Opinion by Mary K. Hoff, Judge

Booker T. Shaw, Presiding Judge
and Kathianne Knaup Crane, Judge, concur.

¹ All statutory references are to RSMo 2000, unless otherwise indicated.