

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-30934
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RONALD XAVIER COLLINS,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 00-CV-1786
USDC No. 99-CR-20029-ALL

October 2, 2002

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Ronald Xavier Collins, now federal prisoner # 10208-035, was convicted of being a felon in possession of a firearm. Pending before the court is an appeal from the denial of Collins's 28 U.S.C. § 2255 motion. Without deciding the merits of that appeal, we previously remanded the case to the district court for consideration of Collins's FED. R. APP. P. 4(b)(4) motion for extension of time to file a notice of appeal from the judgment in

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

his criminal case and a determination whether the circumstances of his case constituted good cause or excusable neglect such that his motion should be granted. See United States v. Collins, No. 01-30934 (5th Cir. July 1, 2002) (unpublished). On remand, the district court granted Collins's motion. In compliance with the district court's order, Collins timely filed a notice of appeal from his criminal judgment. His 28 U.S.C. § 2255 appeal, therefore, is moot.

APPEAL DISMISSED.