IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT United States Court of Appeals Fifth Circuit

FILED January 9, 2013

No. 11-50751 Summary Calendar

Lyle W. Cayce Clerk

EDGAR WENCEL RUIZ-VILLALOBOS,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA; WARDEN, RCDC III; BUREAU OF PRISONS; GEO GROUP,

Respondents-Appellees.

Appeal from the United States District Court for the Western District of Texas No. 4:11-CV-20

Before SMITH, PRADO, and HIGGINSON, Circuit Judges. PER CURIAM:^{*}

Edgar Ruiz-Villalobos, former federal prisoner # 58225-279, appeals the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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denial of his 28 U.S.C. § 2241 petition challenging his exclusion from rehabilitation programs and halfway houses. Because he has been released from the custody of the Bureau of Prisons, respondents' motion to dismiss the appeal as moot is GRANTED. *See Calderon v. Moore*, 518 U.S. 149, 150 (1996). Respondents' alternative motion for an extension of time to file their brief is DENIED as unnecessary.

The appeal is DISMISSED.