

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-10365  
Conference Calendar

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NORMAN CHARLES OLIVER,

Plaintiff-Appellee,

versus

WAYNE SCOTT; ET AL,

Defendants,

WAYNE SCOTT; GARY L. JOHNSON, DIRECTOR,  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION,

Defendants-Appellants,

and

TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION,

Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:98-CV-2246-H  
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October 18, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

The Texas Department of Criminal Justice (TDCJ) has appealed an interlocutory order issued by the district court prohibiting

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

TDCJ officials from monitoring the telephone conversations of Norman Charles Oliver, Texas prisoner # 576427, with his attorneys concerning settlements negotiations with Corrections Corporation of America (CCA), Management & Training Corporation (MTC), and Warden Wilson until the final disposition of the instant case. The district court dismissed Oliver's claims against Wayne Scott and Gary Johnson. Oliver has settled his claims against MTC and Warden Wilson, and the district court has entered a final judgment dismissing Oliver's remaining claims against CCA. Because a final judgment has been entered in the instant case and the interlocutory order which is the subject of this appeal is no longer in effect, the instant appeal does not present a live controversy and is DISMISSED as moot. See Rocky v. King, 900 F.2d 864, 867 (5th Cir. 1990).

APPEAL DISMISSED AS MOOT.