

July 22, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50380

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

VICTOR ARTURO BERMUDEZ-RODRIGUEZ

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
(03-CR-747)

Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

Attorney M. Carolyn Fuentes, representing appellant Victor Arturo Bermudez-Rodriguez, has informed the Court by suggestion of death, supported by a copy of a State of Texas certificate of death, that the appellant Victor Arturo Bermudez-Rodriguez, died in Beaumont, Texas, on May 14, 2005. Based on this information,

IT IS ORDERED that the appeal is dismissed as moot, and the case is remanded with directions to the district court to vacate

* Pursuant to 5th Cir. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

the judgment of conviction and dismiss the indictment. *USA v. Cammarata*, 721 F.2d 134 (5th Cir. 1983); *USA v. Pauline*, 625 F.2d 684, 685 (5th Cir. 1980).