

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 19, 2013

Lyle W. Cayce
Clerk

No. 12-10152
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PATRICK LEVELLE GAINUS,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:00-CR-139-1

Before KING, CLEMENT, and HAYNES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Patrick Levelle Gainus in his appeal from the revocation of supervised release has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Gainus has not filed a response.

During the pendency of this appeal, Gainus completed his sentence of imprisonment, and he has no further term of imprisonment or supervised release to serve. The appeal is, therefore, moot. *See Spencer v. Kemna*, 523 U.S. 1, 7

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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(1998); *Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). Accordingly, the appeal is DISMISSED as moot, and counsel's motion to withdraw is DENIED as unnecessary.