

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

United States Court of Appeals
Fifth Circuit

FILED

February 20, 2014

Lyle W. Cayce
Clerk

No. 12-40777
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

CONSTANTINO GAMEZ-TENERIA, also known as Constantino Gamez-
Martinez,

Defendant - Appellant

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 7:12-CR-143-1

Before JONES, BARKSDALE, and HAYNES, Circuit Judges.

PER CURIAM:*

Constantino Gamez-Teneria pleaded guilty to being unlawfully present in the United States following removal. The district court sentenced Gamez to 27-months' imprisonment, less 190 days of credit for state custody, and did *not* impose a supervised-release term.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 12-40777

For his only issue on appeal, Gamez contends the court erred in concluding his Illinois involuntary-manslaughter conviction warranted a 12-level enhancement under Sentencing Guideline § 2L1.2(b)(1)(A)(ii) (unlawfully entering or remaining in United States after felony conviction for crime of violence). Because Gamez has been released from prison and removed from the United States (24 June 2013), his appeal is moot. *See United States v. Rosenbaum-Alanis*, 483 F.3d 381, 383 (5th Cir. 2007).

DISMISSED.