

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

United States Court of Appeals
Fifth Circuit

FILED

September 4, 2012

Lyle W. Cayce
Clerk

No. 12-70012

ANTHONY BARTEE,

Plaintiff - Appellee

v.

SUSAN D. REED, BEXAR COUNTY DISTRICT ATTORNEY,

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:12-CV-420

Before HIGGINBOTHAM, ELROD, and HAYNES, Circuit Judges.

PATRICK E. HIGGINBOTHAM, Circuit Judge.*

The Court is persuaded that this appeal is now moot and must be dismissed for want of jurisdiction. We DISMISS and REMAND for further proceedings.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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