

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

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No. 13-11221

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United States Court of Appeals  
Fifth Circuit

**FILED**

September 26, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

GLORIA PALACIOS,

Defendant - Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:12-CR-424-1

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Before KING, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

In this direct criminal appeal, defendant-appellant Gloria Palacios challenges the sentence of imprisonment that the district court imposed (but not her conviction). While this appeal was pending, however, it appears that Palacios served her sentence and was released on September 17, 2014. As such, it appears that this appeal is moot. *E.g.*, *United States v. Prnka*, 543 F. App'x 419 (5th Cir. 2013); *United States v. Kline*, 454 F. App'x 372, 373 (5th

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Cir. 2011); *United States v. Hayes*, 455 F. App'x 516, 517 (5th Cir. 2011). We will dismiss the appeal.

If there is a “collateral consequence” of Palacios’ sentence that causes “some concrete and continuing injury” rendering this appeal a live controversy, *see Spencer v. Kemna*, 523 U.S. 1, 7 (1998), then Palacios shall file a motion to reinstate the appeal, setting out the basis therefor, no later than October 3, 2014. *See United States v. Clark*, 193 F.3d 845, 847 (5th Cir. 1999) (stating that the burden is on the defendant-appellant). The government shall respond to Palacios’ motion no later than October 10, 2014.

APPEAL DISMISSED.