

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

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No. 15-30821  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit  
**FILED**  
November 17, 2016  
Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DAVID JEROME FRANK,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 2:03-CR-20067-1

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Before KING, GRAVES, and COSTA, Circuit Judges.

PER CURIAM:\*

David Jerome Frank, federal prisoner # 08457-035, appeals the district court's denial of his 18 U.S.C. § 3582(c)(2) motion for a sentencing reduction based on Amendment 782 to the Sentencing Guidelines. On March 15, 2016, before this case was decided, Frank was released from federal custody. "Where a defendant has begun serving a term of supervised release, the appeal of the denial of his § 3582(c)(2) motion is moot." *United States v. Booker*, 645 F.3d

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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328, 328 (5th Cir. 2011). Because Frank's appeal concerns only the term of his imprisonment, and makes no challenge to his term of supervised release, his arguments pertain only to relief under § 3582(c)(2). Accordingly, Frank's appeal is DISMISSED AS MOOT.