

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

No. 16-51097
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 29, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ELLIS MORGANFIELD,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 5:03-CR-10-2

Before KING, ELROD, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Ellis Morganfield has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Morganfield has filed a response and a motion for leave to supplement his response.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 16-51097

As an initial matter, we note that the district court sentenced Morganfield to time served for the revocation of his supervised release and therefore Morganfield is no longer in custody. Because no additional term of supervised release was imposed, the instant appeal is moot. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998); *United States v. Clark*, 193 F.3d 845, 847-48 (5th Cir. 1999). Accordingly, the appeal is DISMISSED as moot, and counsel's motion for leave to withdraw is DENIED as unnecessary. Morganfield's motion to supplement is DENIED.