

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

No. 18-10878
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED
February 26, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DONNIE R. PEOPLES,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:16-CR-547-1

Before DENNIS, CLEMENT, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Donnie R. Peoples 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). Peoples has filed a response. During the pendency of the appeal, Peoples completed the sentence imposed upon revocation of his supervised release, and he is no longer in custody. The district court did not

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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impose an additional term of supervised release. Accordingly, there is no case or controversy for this court to address. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998); *United States v. Lares-Meraz*, 452 F.3d 352, 354-55 (5th Cir. 2006).

The appeal is therefore DISMISSED AS MOOT, and counsel's motion for leave to withdraw is DENIED as unnecessary.