

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

September 25, 2020

Lyle W. Cayce  
Clerk

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No. 19-10741  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MARK ANTHONY GEORGE, *also known as* MARK GEORGE,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:19-CR-8-1

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Before OWEN, *Chief Judge*, and HAYNES and COSTA, *Circuit Judges*.

PER CURIAM:\*

Mark Anthony George was convicted of possession with intent to distribute heroin, in violation of 21 U.S.C. § 841(a)(1), and escape from custody, in violation of 18 U.S.C. § 751(a), and sentenced within the advisory guidelines range to 30 months of imprisonment and three years of supervised

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 19-10741

release. On appeal, he contends that the “shall-not-frequent” condition set out in the judgment should be removed because it conflicts with the oral pronouncement of sentence.

After George appealed, the Government filed an unopposed motion to remand the case to the district court for correction of the judgment. The motion was granted, and the district court corrected the judgment to, relevant here, exclude the “shall-not-frequent” supervised release condition. As this is the sole relief that George seeks, the appeal is DISMISSED as moot. *See United States v. Clark*, 193 F.3d 845, 847-48 (5th Cir. 1999); *United States v. Shartzler*, 705 F. App’x 265, 271 (5th Cir. 2017).