

# United States Court of Appeals for the Fifth Circuit

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No. 22-10420  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 5, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

TRACY RAULEN MAXEY,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:13-CR-473-1

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Before SMITH, SOUTHWICK, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Counsel appointed to represent Tracey Maxey in his appeal of his revocation of supervised release and resulting sentence has moved to withdraw and has filed a brief per *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Maxey has filed responses.

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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During the pendency of this appeal, Maxey completed the sentence imposed upon revocation of supervised release and was released from 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); *Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). Accordingly, the appeal is DISMISSED as moot, and counsel's motion for leave to withdraw is DENIED as unnecessary.