

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 16, 2023

Lyle W. Cayce
Clerk

No. 22-20534
Summary Calendar

AUSTIN THOMPSON HUGHES,

Plaintiff—Appellee,

versus

ART ACEVEDO; MICHAEL GARCIA; JOSHUA FEW; JAMES
SEYMOUR,

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:21-CV-1994

Before CLEMENT, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

This case involves claims of unlawful arrest and assertions of qualified immunity. But the appellants here appealed not a written final judgment, but rather oral statements made during a status hearing on a motion to dismiss. Then, when the district court eventually memorialized those statements in writing and declined to dismiss the case on qualified immunity grounds, the

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

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appellants again appealed. That second appeal has been docketed separately, rendering this first appeal moot. *See FTC v. Nat'l Bus. Consultants, Inc.*, 376 F.3d 317, 318 n.1 (5th Cir. 2004).

Thus, this case is DISMISSED AS MOOT.