

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

United States Court of Appeals
Fifth Circuit

FILED

March 13, 2013

Lyle W. Cayce
Clerk

No. 10-50826

Summary Calendar

MARIO ALBERTO DOVALINA,

Petitioner-Appellant

v.

UNITED STATES OF AMERICA; WARDEN, RCDC III; UNITED STATES
ATTORNEY GENERAL; BUREAU OF PRISONS,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:10-CV-64

Before KING, CLEMENT, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Mario Alberto Dovalina, former federal prisoner # 43113-180, appeals the denial of his 28 U.S.C. § 2241 petition challenging his exclusion from rehabilitation programs and halfway houses. As Dovalina has been released from Bureau of Prisons custody, we grant Respondents' motion to dismiss the appeal as moot and dismiss the appeal as moot. *See Calderon v. Moore*, 518 U.S.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 10-50826

149, 150 (1996). Respondents' alternative motion for an extension of time to file a brief is denied as unnecessary.

MOTION TO DISMISS GRANTED; APPEAL DISMISSED; MOTION FOR AN EXTENSION OF TIME DENIED.