

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

No. 18-50032
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 16, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

JASON RAY MARMINO,

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:16-CV-190

Before KING, SOUTHWICK, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Jason Ray Marmino appeals the district court's denial of his 28 U.S.C. § 2255 motion, in which he argued that his term of imprisonment was unconstitutional. While this appeal was pending, Marmino completed his term of imprisonment. His attorney has filed a letter advising the court that the case is now moot. We agree. Marmino's appeal only challenged his term of

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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imprisonment. He did not challenge any other aspect of his sentence. Because Marmino has been released from prison, we cannot grant him any relief. *See United States v. Bacio-Gonzales*, 713 F. App'x 357, 358 (5th Cir. 2018) (unpublished).

Accordingly, this appeal is DISMISSED as moot.