

United States Court of Appeals for the Fifth Circuit

No. 24-30051
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 21, 2024

Lyle W. Cayce
Clerk

ARNOLD EUGENE FOX, JR.,

Petitioner—Appellant,

versus

FEDERAL BUREAU OF PRISONS; FELIPE MARTINEZ,

Respondents—Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:22-CV-5199

Before SMITH, STEWART, and DUNCAN, *Circuit Judges*.

PER CURIAM:*

Arnold Fox, Jr., federal prisoner #24886-076, appeals the dismissal of his 28 U.S.C. § 2241 habeas corpus petition challenging the calculation by the Bureau of Prisons (“BOP”) of his earned-time credits under the First Step Act. During the pendency of his appeal, Fox was released from BOP custody. Because of his release and the nature of the relief he seeks, we lack jurisdiction to consider his appeal. *See Herndon v. Upton*, 985 F.3d 443, 446–

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

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48 (5th Cir. 2021); *United States v. Heredia-Holguin*, 823 F.3d 337, 340 (5th Cir. 2016) (en banc).

APPEAL DISMISSED.