

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

March 11, 2021

Lyle W. Cayce  
Clerk

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No. 20-20443  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

KENNETH CHARLES FRAGOSO,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:90-CR-328-2

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Before JONES, BARKSDALE, and STEWART, *Circuit Judges.*

PER CURIAM:\*

Kenneth Charles Fragoso challenges denial of: his motion for compassionate release in the light of the COVID-19 pandemic; and, the denial of his motion for reconsideration. Fragoso, however, was granted clemency by the President of the United States and has been released from

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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prison. Accordingly, this appeal is moot. *See Bailey v. Southerland*, 821 F.2d 277, 278–79 (5th Cir. 1987).

DISMISSED.