

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 29, 2021

Lyle W. Cayce
Clerk

No. 20-40150
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

ABEL MARTINEZ-ALVARADO,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:19-CR-953-1

Before SOUTHWICK, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Abel Martinez-Alvarado has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Martinez-Alvarado has not filed a response.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-40150

During the pendency of this appeal, Martinez-Alvarado, who evidenced his intent to appeal his sentence only, completed the sentence imposed. Because Martinez-Alvarado was deported upon his release from custody and is not subject to a term of supervised release, this appeal is moot. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998); *Lane v. Williams*, 455 U.S. 624, 631 (1982); *Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). Accordingly, the appeal is DISMISSED as moot, and counsel's motion for leave to withdraw is DENIED as unnecessary.