

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

September 27, 2022

Lyle W. Cayce  
Clerk

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No. 22-50002  
Summary Calendar

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THIRPLUS TIMO MOOSE,

*Petitioner—Appellant,*

*versus*

FNU LNU, *Warden of Bastrop and/or Title Holder,*

*Respondent—Appellee.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:21-CV-891

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Before JONES, HAYNES, and OLDHAM, *Circuit Judges.*

PER CURIAM:\*

Thirplus Timo Moose, federal prisoner # 21011-045, was convicted of conspiracy to commit bank robbery, armed bank robbery with forcible restraint, and use or discharge of a firearm during a crime of violence causing murder. He now appeals the denial of his 28 U.S.C. § 2241 petition, in which

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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he asserted he should be released immediately on the basis of a purported novation agreement he sent the Government, which, among other things, deemed his term of imprisonment satisfied. According to Moose, the Government assented to the novation by failing to reject it. Additionally, Moose seeks leave to file a supplemental brief.

“In an appeal from the denial of habeas relief, this court reviews a district court’s findings of fact for clear error and issues of law de novo.” *Jeffers v. Chandler*, 253 F.3d 827, 830 (5th Cir. 2001). This court “may affirm the district court’s denial of relief on any ground supported by the record.” *Hunter v. Tamez*, 622 F.3d 427, 430 (5th Cir. 2010). Here, Moose attempts to unilaterally change the terms of his plea agreement and sentence to obtain immediate release and asserts that the Government has agreed to this novation by its silence. This contention is without merit.

The judgment of the district court is AFFIRMED. Moose’s motion for leave to file a supplemental brief in support is DENIED.