

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

United States Court of Appeals  
Fifth Circuit

**FILED**

September 4, 2012

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No. 12-70012  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

ANTHONY BARTEE,

Plaintiff - Appellee

v.

SUSAN D. REED, BEXAR COUNTY DISTRICT ATTORNEY,

Defendant - Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:12-CV-420  
\_\_\_\_\_

Before HIGGINBOTHAM, ELROD, and HAYNES, Circuit Judges.

PATRICK E. HIGGINBOTHAM, Circuit Judge:\*

The Court is persuaded that this appeal is now moot and must be dismissed for want of jurisdiction. We DISMISS and REMAND for further proceedings.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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