

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-7240**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES THOMAS WEBB,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:12-cr-00301-D-1)

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Submitted: December 1, 2015

Decided: December 3, 2015

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Before SHEDD and THACKER, Circuit Judges, and DAVIS, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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James Thomas Webb, Appellant Pro Se. Jennifer P. May-Parker, Assistant United States Attorney, Kristine L. Fritz, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Thomas Webb seeks to appeal the district court's order denying his motion for release pending appeal. At the time that Webb filed the motion, our mandate had issued in his direct appeal from his conviction and sentence, and he had received an extension from the Supreme Court to file a petition for certiorari. In his motion for release pending appeal, Webb asserted that he would be filing a petition for certiorari and asked to be released pending a decision in his case. The period for Webb to file his petition for certiorari has now expired, and he has not filed a petition. Accordingly, since his direct appeal is no longer pending, we dismiss this appeal as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED