

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6877

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMIE EARL SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever, III, Chief District Judge. (5:10-cr-00211-D-1)

Submitted: November 22, 2016

Decided: November 28, 2016

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

Dismissed by unpublished per curiam opinion.

Stephen Clayton Gordon, Assistant Federal Public Defender, Raleigh, North Carolina, for Appellant. Leslie Katherine Cooley, Assistant United States Attorney, Dena Janae King, Denise Walker, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jamie Earl Smith appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motion for a sentence reduction. While Smith's appeal was pending, he completed his term of imprisonment and was released from prison. "Given [appellant's] release from prison, there is no wrong to remedy and an appeal should be dismissed when, by virtue of an intervening event, a court of appeals cannot grant any effectual relief whatever in favor of the appellant." United States v. Hardy, 545 F.3d 280, 285 (4th Cir. 2008) (alteration and internal quotation marks omitted); United States v. Booker, 645 F.3d 328 (5th Cir. 2011) (per curiam) (explaining that "[a]ny termination of supervised release must be sought by a motion under 18 U.S.C. § 3583(e)(1)"). Accordingly, 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