

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-6731**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DARYL ANDRE FULLER,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at  
Spartanburg. Henry M. Herlong, Jr., Senior District Judge. (7:98-cr-00076-HMH-1)

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Submitted: September 22, 2020

Decided: September 25, 2020

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Before NIEMEYER, KEENAN, and FLOYD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Daryl Andre Fuller, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darryl Andre Fuller appeals the district court's order denying without prejudice his motion for compassionate release from custody. During the pendency of this appeal, Fuller's sentence was amended to time-served and he was released from custody. We must address sua sponte whether an issue on appeal presents "a live case or controversy . . . since mootness goes to the heart of the Article III jurisdiction of the courts." *Castendet-Lewis v. Sessions*, 855 F.3d 253, 260 (4th Cir. 2017). Because Fuller has already served his term of imprisonment and the district court did not impose any additional term of supervised release, there is no longer a live controversy regarding his sentence. Therefore, his appeal is moot and we dismiss it accordingly. *See United States v. Hardy*, 545 F.3d 280, 283-84 (4th Cir. 2008). 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*