

United States Court of Appeals
Fifth Circuit

FILED

March 27, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-10762
Summary Calendar

PAUL THOMAS GERIK,

Peti ti oner-Appel l ant,

versus

DOUG DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appel l ee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:04-CV-2-C

Before KING, WIENER, and DeMOSS, Ci rcui t Judges.

PER CURIAM: *

Paul Thomas Gerik, Texas prisoner #905560, appeals the district court's denial of his 28 U.S.C. § 2254 application challenging the Board of Pardons and Paroles's denial of his release on mandatory supervision. The respondent has moved to dismiss Gerik's appeal as moot and to supplement the record on appeal.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

During the pendency of this appeal, Gerik was reclassified as being eligible for release on mandatory supervision and later released on mandatory supervision. As Gerik has received all of the relief he was seeking in his § 2254 application, his appeal is moot. See McRae v. Hogan, 576 F.2d 615, 616-17 (5th Cir. 1978). Accordingly, the motion to supplement the record is granted, the motion to dismiss is granted, and this appeal is dismissed as moot.

MOTION TO SUPPLEMENT THE RECORD GRANTED; MOTION TO DISMISS GRANTED; APPEAL DISMISSED AS MOOT.