

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

United States Court of Appeals
Fifth Circuit

FILED

November 23, 2011

Lyle W. Cayce
Clerk

No. 10-20852
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOE GAMBOA RODRIGUEZ,

Defendant-Appellant

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 4:92-CR-191-1

Before HIGGINBOTHAM, DAVIS and ELROD, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Joe Gamboa Rodriguez in his appeal from the revocation of supervised release has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Rodriguez has not filed a response.

During the pendency of this appeal, Rodriguez completed his sentence of imprisonment, and he has no further term of imprisonment or supervised release to serve. The appeal is, therefore, moot. *See Spencer v. Kemna*, 523 U.S. 1, 7,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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14 (1998); *Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). Accordingly, the appeal is dismissed, and counsel's motion to withdraw is denied as unnecessary.

APPEAL DISMISSED; MOTION DENIED.