

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

United States Court of Appeals
Fifth Circuit

FILED

December 11, 2012

Lyle W. Cayce
Clerk

No. 10-50575

Summary Calendar

HAROL RODRIGO SUAREZ GARCIA,

Petitioner-Appellant

v.

UNITED STATES OF AMERICA; BUREAU OF PRISONS; WARDEN, RCDC
III; ERIC H. HOLDER, JR., U.S. ATTORNEY GENERAL,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:10-CV-43

Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Harol Rodrigo Suarez Garcia, former federal prisoner # 29213-016, appeals the denial of his 28 U.S.C. § 2241 petition challenging his exclusion from rehabilitation programs and halfway houses. As Garcia has been released from Bureau of Prisons custody, we grant Respondents' motion to dismiss the appeal as moot and dismiss the appeal as moot. *See Calderon v. Moore*, 513 U.S. 149,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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150 (1996). Respondents' alternative motion for an extension of time to file a brief is denied as unnecessary.

MOTION TO DISMISS GRANTED; APPEAL DISMISSED; MOTION FOR AN EXTENSION OF TIME DENIED.