

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

United States Court of Appeals
Fifth Circuit

FILED

January 2, 2013

Lyle W. Cayce
Clerk

No. 10-50921

Summary Calendar

GERARDO CERVANTES SOSA,

Petitioner-Appellant

v.

UNITED STATES OF AMERICA; UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT; DEPARTMENT OF HOMELAND SECURITY;
BUREAU OF PRISONS; WARDEN OF REEVES CORRECTIONAL
INSTITUTION III,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:10-CV-20

Before KING, CLEMENT, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Gerardo Cervantes Sosa (Sosa), former federal prisoner # 33257-177, appeals the denial of his 28 U.S.C. § 2241 petition seeking removal of an immigration detainer and transfer to a facility where he could avail himself of early release programs. As Sosa has been released from Bureau of Prisons custody and removed to Mexico, we dismiss his appeal as moot. *See Calderon v.*

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Moore, 518 U.S. 149, 150 (1996); *Rocky v. King*, 900 F.2d 864, 867 (5th Cir. 1990). The appellees' motion for an extension of time to file an appellate brief therefore is denied as unnecessary.

APPEAL DISMISSED; MOTION DENIED.