

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

United States Court of Appeals  
Fifth Circuit

**FILED**

February 19, 2013

Lyle W. Cayce  
Clerk

---

No. 12-10152  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PATRICK LEVELLE GAINUS,

Defendant-Appellant

---

Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:00-CR-139-1

---

Before KING, CLEMENT, and HAYNES, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Patrick Levelle Gainus 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). Gainus has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 12-10152

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