

United States Court of Appeals
For the Eighth Circuit

No. 16-4513

United States of America,

Plaintiff - Appellee,

v.

Bryon Welton,

Defendant - Appellant.

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: July 21, 2017

Filed: July 27, 2017

[Unpublished]

Before COLLOTON, MURPHY, and KELLY, Circuit Judges.

PER CURIAM.

Federal prisoner Byron Welton appeals the district court's¹ order committing him under 18 U.S.C. § 4245 for hospitalization and mental health treatment. During the pendency of this appeal, however, the district court granted the government's motion to dismiss the commitment petition and to transfer Welton, citing a report that Welton had recovered and was ready for discharge. Accordingly, we dismiss the appeal as moot. Counsel's motion to withdraw is granted.

¹The Honorable Douglas Harpool, United States District Judge for the Western District of Arkansas, adopting the report and recommendation of the Honorable David P. Rush, United States Magistrate Judge for the Western District of Missouri.