

June 19, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 04-40674  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN ELISEO ARMENDARIZ-CHAVEZ,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:04-CR-11-ALL  
-----

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before BENAVIDES, CLEMENT, and PRADO, Circuit Judges.

PER CURIAM:\*

This court affirmed the sentence of Juan Eliseo Armendariz-Chavez (Armendariz). The Supreme Court vacated and remanded for further consideration in light of Lopez v. Gonzales, 127 S. Ct. 625 (2006). Both parties have informed us that Armendariz has been released from custody and that his term of supervised release has expired. Accordingly, the appeal is moot and is DISMISSED. See United States v. Clark, 193 F.3d 845, 847-48 (5th Cir. 1999).

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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