

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-4821

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

HENRY ACHIEKWELU,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, District Judge. (CR-94-376-A)

Submitted: November 23, 1999

Decided: December 13, 1999

Before MICHAEL, MOTZ, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Henry Achiekwelu, Appellant Pro Se. Lawrence Joseph Leiser, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Henry Achiekwelu appeals from the district court's order revoking his supervised release and sentencing him to one year of incarceration. Because Achiekwelu served the sentence imposed on revocation and has been released from his incarceration, and because the district court did not impose a term of supervised release to follow his incarceration, we find that his appeal is moot. See Spencer v. Kemna, 523 U.S. 1, ___, 118 S.Ct. 978, 983-88 (1998) (holding that challenge to termination of parole status did not present live case or controversy after expiration of sentence imposed on revocation); United States v. Clark, ___ F.3d ___, 1999 WL 958510, at *2-3 (5th Cir. Oct. 20, 1999) (per curiam); United States v. Propper, 170 F.3d 345, 347-48 (2d Cir. 1999). Accordingly, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED