

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 25-6938**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RICHARD DAVIS,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. John A. Gibney, Jr., Senior District Judge. (3:23-cr-00135-JAG-1)

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Submitted: May 21, 2026

Decided: May 27, 2026

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Before AGEE and THACKER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Richard Davis, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Richard Davis seeks to appeal the district court's order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. The Government has filed a motion to dismiss the appeal, asserting that Davis' release from prison on December 4, 2025, renders this appeal moot. Davis opposes the Government's motion.

We have reviewed the record and considered the parties' filings and conclude that, due to his release from prison, Davis "no longer has a concrete interest in [being granted a reduced prison term]." *United States v. Payne*, 54 F.4th 748, 751 (4th Cir. 2022). Accordingly, we grant the Government's motion and dismiss this appeal as moot. *See Fleet Feet, Inc. v. NIKE, Inc.*, 986 F.3d 458, 463 (4th Cir. 2021) ("If an event occurs during the pendency of an appeal that makes it impossible for a court to grant effective relief to a prevailing party, then the appeal must be dismissed as moot." (internal quotation marks omitted)).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*