

June 10, 2009

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUITElisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

RAMIRO URBINA RAMIREZ,
a/k/a Jesus Salvador Vega-Geronimo,
a/k/a Ramiro Urbana,
a/k/a Jesus Salvador Vega,

Defendant-Appellant.

No. 08-1281
(D.C. No. 1:07-cr-00480-REB-1)
(D. Colo.)

ORDER AND JUDGMENT*

Before **O'BRIEN**, Circuit Judge, **BRORBY**, Senior Circuit Judge, and
GORSUCH, Circuit Judge.

This matter is before the court following our receipt of notice that Appellant Ramiro Urbina Ramirez was removed to Mexico on March 17, 2009. We directed the parties to respond in writing whether this appeal is moot. On

* After examining the briefs and appellate record, this panel has determined unanimously to grant the parties' request for a decision on the briefs without oral argument. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

May 4, 2009, the government filed its response confirming that Mr. Ramirez was removed from the United States and requesting dismissal on the grounds of mootness. *See United States v. Vera-Flores*, 496 F.3d 1177, 1180-81 (10th Cir. 2007). Counsel for Mr. Ramirez does not dispute the factual or legal basis of the government's position and does not oppose the motion to dismiss. We have reviewed the record, the parties' materials, and the relevant legal authority, and we agree that this matter is moot.

Accordingly, this appeal is DISMISSED.

Entered for the Court

Neil M. Gorsuch
Circuit Judge