

**FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

No. 01-10366

v.

D.C. No.
CR-96-00406-CAL

ENRIQUE GOMEZ-GONZALEZ, aka
Jorge Cholico-Gomez,
Defendant-Appellant.

ORDER

Appeal from the United States District Court
for the Northern District of California
Charles A. Legge, District Judge, Presiding

Argued and Submitted
October 17, 2001--San Francisco, California

Filed July 2, 2002

Before: Robert R. Beezer, Stephen S. Trott and
Richard C. Tallman, Circuit Judges.

COUNSEL

Daniel P. Blank, Assistant Federal Public Defender, San Fran-
cisco, California, for the defendant-appellant.

J. Douglas Wilson and Laurie Gray, Assistant United States
Attorneys, San Francisco, California, for the plaintiff-
appellee.

ORDER

Enrique Gomez-Gonzalez ("Cholico") has informed us that
he completed his term of incarceration on October 16, 2001,

one day after oral argument and approximately three months before we filed our opinion on January 15, 2002. Cholico's appeal of his sentence became moot when he completed that sentence. See United States v. Palomba, 182 F.3d 1121, 1123 (9th Cir. 1999). There was no case or controversy when we filed our opinion on January 15, 2002. See United States v. Mann, 138 F.3d 758, 758 (9th Cir. 1998).

We DISMISS the petition for rehearing and request for en banc review, WITHDRAW the opinion filed January 15, 2002 and DISMISS the appeal.