

June 10, 2009

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker  
Clerk of Court

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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.)

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**ORDER AND JUDGMENT\***

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

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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

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\* 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 This order and judgment is not binding  
precedent, except under the doctrines of law of the case, *res judicata*, and  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