

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

September 10, 2021

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HOLLI TELFORD LUNDAHL,

Defendant - Appellant.

No. 21-8045
(D.C. No. 1:20-CR-00048-NDF-1)
(D. Wyo.)

ORDER AND JUDGMENT*

Before **BACHARACH, McHUGH, and CARSON**, Circuit Judges.

Holli Lundahl was indicted on three counts of health care fraud and aiding and abetting health care fraud, and two counts of aggravated identify theft. A jury found Ms. Lundahl guilty on all counts on May 3, 2021. After the jury rendered its verdict, the district court ordered Ms. Lundahl to be detained pending sentencing, holding that the government had proven by clear and convincing evidence that no condition or combination of conditions of release would reasonably assure the safety of any

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 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 This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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.

other person and the community. *See* 18 U.S.C. § 3142(e). Ms. Lundahl has appealed that determination.

On August 25, 2021, however, the district court sentenced Ms. Lundahl to 36 months in prison and committed her to the custody of the Bureau of Prisons. Ms. Lundahl’s appeal of her pre-sentencing detention is therefore moot, and it is hereby dismissed. *See Phelps v. Hamilton*, 122 F.3d 885, 891 (10th Cir. 1997) (explaining that the “inability to grant effective relief renders [an] issue moot”); *see also Murphy v. Hunt*, 455 U.S. 478, 481 (1982) (per curiam) (holding appeal concerning defendant’s right to pretrial bail was mooted by defendant’s conviction); *United States v. O’Shaughnessy*, 772 F.2d 112, 113 (5th Cir. 1985) (per curiam) (holding appeal concerning defendant’s right to pretrial bail was mooted by defendant’s conviction and sentence). We deny all other pending motions.

Entered for the Court
Per Curiam