

# APPENDIX 2

United States Court of Appeals  
for the Fifth Circuit

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No. 23-60059

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 9, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

CURTIS LAVON MAGEE,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 1:22-CR-76-1

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**UNPUBLISHED ORDER**

Before KING, JONES, and SMITH, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Appellee's opposed motion to dismiss the appeal is GRANTED.

IT IS FURTHER ORDERED that Appellee's opposed alternative motion for summary affirmance is DENIED AS MOOT.