

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**December 16, 2024**

**FOR THE TENTH CIRCUIT**

**Christopher M. Wolpert**  
**Clerk of Court**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CLYDE APPERSON,

Defendant - Appellant.

No. 24-3037  
(D.C. No. 5:00-CR-40104-TC-2)  
(D. Kan.)

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**ORDER AND JUDGMENT\***

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Before **HARTZ, PHILLIPS**, and **FEDERICO**, Circuit Judges.

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Clyde Apperson appeals the district court’s denial of his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). The relief requested in the motion was “[a] reduction of sentence to time served, with imposition of the original conditions of supervised release.” Aplt. App. Vol. 1 at 96; *see* Aplt. Br. at 46 (using the same language to describe the relief sought); Aplt. Reply Br. at 14 (same).

On December 12, 2024, President Joseph R. Biden Jr. commuted a number of federal sentences, including Mr. Apperson’s sentence, with the following language:

**I HEREBY COMMUTE** the total sentence of confinement that each of the following named persons is now serving, to expire on **December 22, 2024**, leaving intact and in effect for each named person the term of

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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

supervised release imposed by the court with all of its conditions and all other components of each respective sentence. Nothing in this grant of clemency should be presumed to interfere with, or supersede, the Bureau of Prisons' authority to oversee each person's confinement, pursuant to the terms set forth in this grant of clemency. Each person shall remain subject to all ordinary disciplinary rules.

Pres. Joseph R. Biden Jr., Executive Grant of Clemency (Dec. 12, 2024). Because Mr. Apperson has been granted all the relief he requested, his appeal is now moot. Accordingly, we **DISMISS** this appeal as moot and **REMAND** with directions for the district court to dismiss this case without prejudice.

Entered for the Court

Harris L Hartz  
Circuit Judge,