

Per Curiam

CLAIBORNE *v.* UNITED STATESCERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE EIGHTH CIRCUIT

No. 06–5618. Argued February 20, 2007—Decided June 4, 2007

439 F. 3d 479, vacated as moot.

Michael Dwyer argued the cause for petitioner. With him on the briefs were *Lee T. Lawless* and *David Hemingway*.

Deputy Solicitor General Dreeben argued the cause for the United States. With him on the brief were *Solicitor General Clement*, *Assistant Attorney General Fisher*, *Dan Himmelfarb*, *Matthew D. Roberts*, *Nina Goodman*, and *Jeffrey P. Singdahlsen*.*

PER CURIAM.

The Court is advised that the petitioner died in St. Louis, Missouri, on May 30, 2007. The judgment of the United States Court of Appeals for the Eighth Circuit is therefore

*Briefs of *amici curiae* urging reversal were filed for Families Against Mandatory Minimums by *Gregory L. Poe*, *Mary Price*, and *Peter Goldberger*; for Federal Public and Community Defenders et al. by *Thomas W. Hillier II*, *Amy Baron-Evans*, *Laura E. Mate*, and *Sara E. Noonan*; for the National Association of Criminal Defense Lawyers by *Miguel A. Estrada*, *David Debold*, and *Jeffrey L. Fisher*; for the New York Council of Defense Lawyers by *Alexandra A. E. Shapiro* and *Paul H. Schwartz*; for the Sentencing Project et al. by *Matthew M. Shors* and *Pammela Quinn*; and for the Washington Legal Foundation et al. by *Daniel J. Popeo* and *Paul D. Kamenar*.

Robert E. Toone and *Katherine J. Fick* filed a brief for Senator Edward M. Kennedy et al. as *amici curiae* urging affirmance.

Briefs of *amici curiae* were filed for Law Professors Who Study Sentencing Reform by *Edward S. Lee*; and for the United States Sentencing Commission by *David C. Frederick* and *Pamela O. Barron*.

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vacated as moot. See *United States v. Munsingwear, Inc.*,
340 U. S. 36 (1950).

It is so ordered.