

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 20-12218
Non-Argument Calendar

D.C. Docket No. 1:11-cr-20349-UU-1

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FERNANDO VICENTE MARULANDA TRUJILLO,
a.k.a. Marulo,

Defendant - Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(April 23, 2021)

Before WILSON, ROSENBAUM, and JILL PRYOR, Circuit Judges.

PER CURIAM:

Fernando Vicente Marulanda Trujillo was a federal prisoner serving a sentence of 210 months for conspiring to import cocaine into the United States. In April 2020, when he was 68 years old, Marulanda Trujillo filed a motion for compassionate release under the First Step Act, *see* 18 U.S.C. § 3582(c)(1)(A)(i), based on the COVID-19 pandemic and his deteriorating physical health due to severe heart disease. The district court denied that motion, finding that it could not “justify from a public safety or public policy perspective releasing an international narcotics trafficker six years early,” and noting that the Federal Bureau of Prisons had taken measures in response to the pandemic. Marulanda Trujillo appealed, and the government moved for summary affirmance.

However, on March 26, 2021, while this appeal was pending, Marulanda Trujillo’s counsel filed a notice with this Court stating that Marulanda Trujillo “passed away on March 25, 2021, after a long battle with COVID-19.” Counsel suggests that this proceeding is now moot. We are sorry to hear of Trujillo’s death. But we must agree that his case is now moot.

“A case on appeal becomes moot, and ceases to be a case or controversy, when it no longer presents a live controversy with respect to which the court can give meaningful relief.” *United States v. Al-Arian*, 514 F.3d 1184, 1189 (11th Cir. 2008) (quotation marks omitted).

This appeal is now moot because we cannot give meaningful relief to Marulanda Trujillo—such as release from prison or remand for additional consideration of his request for compassionate release—following his death. *See id.* We therefore dismiss the appeal as moot.

DISMISSED.