

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

---

No. 07-1563

---

United States of America,

Appellee,

v.

Jeffrey Lawrence Bracy,

Appellant.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Appeal from the District Court  
for the Eastern District of  
Arkansas.

---

Submitted: November 13, 2007

Filed: December 21, 2007

---

Before MELLOY, BEAM, and SHEPHERD, Circuit Judges.

---

BEAM, Circuit Judge.

Jeffrey Bracy was arrested following a dispute at a Forrest City, Arkansas, hotel, and was subsequently charged with being a felon in possession of a firearm. Before trial, defense counsel requested a psychiatric evaluation of Bracy's competency to stand trial. Bracy was examined and diagnosed with paranoid schizophrenia, which rendered him mentally incompetent to stand trial. Bracy was committed to treatment at a federal facility in Lexington, Kentucky, where he refused anti-psychotic

medication. Bracy appeals<sup>1</sup> the district court's<sup>2</sup> determination that Bureau of Prison (BOP) personnel could involuntarily medicate him with anti-psychotic medication.

While this appeal was pending, Bracy was certified as competent to stand trial by the BOP and discharged from the federal facility. Moreover, a trial date has been scheduled<sup>3</sup> by the district court. Accordingly, we find that this appeal is moot, and we remand to the district court for further proceedings.

---

---

<sup>1</sup>Although this is a collateral order, it is one that the Supreme Court has deemed appealable. Sell v. United States, 539 U.S. 166, 176-77 (2003).

<sup>2</sup>The Honorable Garnett Thomas Eisele, United States District Judge for the Eastern District of Arkansas.

<sup>3</sup>The district court docket sheet reflects that the trial was set for October 29, 2007, but on October 23, 2007, Bracy filed an unopposed motion to continue the trial pending resolution of this appeal. Bracy's motion to continue is the last recorded event on the district court's docket sheet.