

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50083
Conference Calendar

THOMAS TINER,

Plaintiff-Appellant,

versus

TOMMY JONES, Etc., ET AL.,

Defendants,

TOMMY JONES, Sheriff
of Crane County, Texas,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. 94-CV-95
- - - - -

June 28, 1995

Before JONES, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Thomas Tiner appeals the district court's denial of his request for injunctive relief against Crane County, Texas, Jail (Jail) officials. Tiner is no longer an inmate at the Jail by his own admission and, therefore, his request for injunctive relief is moot. See Hooten v. Jenne, 786 F.2d 692, 697 n.6 (5th Cir. 1986). "Simply stated, a case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." Powell v. McCormack, 395

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

U.S. 486, 496 (1969). The "mere possibility of future consequences is too speculative to give rise to a case or controversy." Bailey v. Southerland, 821 F.2d 277, 279 (5th Cir. 1987).

Tiner's contention that he will be returned to the Jail at some future date and the same allegedly unconstitutional conditions will occur then is speculative. The case is moot. Thus, IT IS ORDERED that his appeal is DISMISSED.

APPEAL DISMISSED.