

November 11, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-20427
Summary Calendar

LEOPOLDO SALINAS,

Petitioner-Appellant,

versus

THE U.S. MARSHALS SERVICE; U.S. PAROLE COMMISSION,

Respondents-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:03-CV-3858

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:*

Leopoldo Salinas filed a 28 U.S.C. § 2241 petition in the district court challenging his confinement based on the validity of a federal warrant and on the computation of his sentence. The district court dismissed Salinas' petition for lack of jurisdiction due to his failure to exhaust administrative remedies. Salinas has since been released from federal custody.

This court is obligated to address issues of jurisdiction, including mootness, prior to addressing the merits of an

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

appeal. Goldin v. Bartholow, 166 F.3d 710, 714 (5th Cir. 1999). Because Salinas has already been released from federal custody, there is no relief this court can grant, and Salinas' appeal is DISMISSED as moot. See Schlang v. Heard, 691 F.2d 796, 799 & n.6 (5th Cir. 1982).

DISMISSED.