

October 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-30839
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CRAIG ROBERSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:99-CR-20054-RFD

Before JOLLY, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Craig Roberson in his appeal of the order revoking his supervised release has filed a motion and a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Roberson has filed a response to counsel's Anders motion requesting this court to reconsider his sentence.

This court must examine the basis of its jurisdiction, on its own motion, if necessary. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Article III, § 2, of the Constitution limits

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

federal court jurisdiction to actual cases and controversies. See Spencer v. Kemna, 523 U.S. 1, 7 (1998). The case-or-controversy requirement demands that "some concrete and continuing injury other than the now-ended incarceration or parole -- some 'collateral consequence' of the conviction -- must exist if the suit is to be maintained." Id.

During the pendency of this appeal, Roberson completed the sentence that was imposed upon the revocation of his supervised release. The order revoking Roberson's supervised release imposed no further term of supervised release. Accordingly, there is no case or controversy for this court to address, and the appeal is dismissed as moot. Counsel's motion to withdraw is denied as unnecessary.

MOTION DENIED AS UNNECESSARY; APPEAL DISMISSED.