

June 21, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-20226  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIE LEE RANDEL, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:02-CR-156-ALL  
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Before STEWART, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Willie Lee Randel, Jr., in his appeal of the order revoking his term of supervised release has filed a motion and a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Randel has not filed a response to his counsel's motion.

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 federal court jurisdiction to actual cases and controversies. See

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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.

Randel has served the sentence that was imposed upon the revocation of his supervised release. The order revoking Randel's term of 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.