

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

March 23, 2021

Lyle W. Cayce  
Clerk

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No. 20-40370  
Conference Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSE SALOMON CASTRO-VILLALOBOS,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:19-CR-1129-1

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Before SMITH, STEWART, and HIGGINSON, *Circuit Judges.*

PER CURIAM:\*

The Federal Public Defender appointed to represent Jose Salomon Castro-Villalobos has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States*

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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*v. Flores*, 632 F.3d 229 (5th Cir. 2011). Castro-Villalobos has not filed a response.

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 Spencer v. Kemna*, 523 U.S. 1, 7 (1998). When a defendant’s sentence of imprisonment has expired, 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.*

Castro-Villalobos has served his sentence of imprisonment, and the district court did not impose a 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.