

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7608

SETH MURDOCK,

Petitioner - Appellant,

v.

TERRY O'BRIEN, Warden - USP Hazelton,

Respondent - Appellee.

Appeal from the United States District Court for the Northern
District of West Virginia, at Elkins. John Preston Bailey,
Chief District Judge. (2:13-cv-00044-JPB-DJJ)

Submitted: December 19, 2013

Decided: December 24, 2013

Before SHEDD, DAVIS, and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Seth Murdock, Appellant Pro Se. Helen Campbell Altmeyer,
Assistant United States Attorney, Wheeling, West Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Seth Murdock, a former federal prisoner, appeals the district court's order adopting the magistrate judge's recommendation to deny relief on his 28 U.S.C.A. § 2241 (West 2006 & Supp. 2013) petition. In assessing this appeal,^{*} we have an obligation to consider our appellate jurisdiction where its existence is reasonably in doubt. See Dickens v. Aetna Life Ins. Co., 677 F.3d 228, 229-30 (4th Cir. 2012) (citing Mt. Healthy City Sch. Dist. Bd. of Educ. v. Doyle, 429 U.S. 274, 278 (1977)). Murdock's petition and related motions for injunctive relief sought his transfer to a Residential Reentry Center to serve the final months of his sentence of imprisonment. They also made certain requests regarding the location and duration of Murdock's prerelease placement, as well as the Bureau of Prison's method of determining that placement. Because Murdock was released from federal custody subsequent to filing this appeal, however, we conclude the appeal is moot. See Townes v. Jarvis, 577 F.3d 543, 546 (4th Cir. 2009) ("A case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." (internal quotation

^{*} While the district court denied a certificate of appealability, we conclude that no certificate of appealability is necessary to entertain this appeal, given Murdock's status as a former federal-not state-prisoner. See 28 U.S.C. § 2253(c)(1) (2006).

marks and alteration omitted)). Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction. We deny as moot Murdock's motion for summary disposition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED