

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-4792**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES LEE WORKMAN,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern District of West Virginia, at Elkins. Thomas S. Kleeh, District Judge. (2:03-cr-00003-TSK-MJA-1)

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Submitted: April 30, 2020

Decided: June 2, 2020

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Before KEENAN, HARRIS, and RICHARDSON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kristen M. Leddy, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Martinsburg, West Virginia, for Appellant. Stephen Donald Warner, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Elkins, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Lee Workman appeals the district court's order revoking his supervised release and imposing a 24-month revocation sentence with no additional supervision to follow. Workman's appellate counsel filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal. While this appeal was pending, Workman was released from federal custody.

“When a case or controversy ceases to exist—either due to a change in the facts or the law—the litigation is moot, and the court's subject matter jurisdiction ceases to exist also.” *Porter v. Clarke*, 852 F.3d 358, 363 (4th Cir. 2017) (internal quotation marks omitted). “Because mootness is jurisdictional, we can and must consider it even if neither party has raised it.” *United States v. Ketter*, 908 F.3d 61, 65 (4th Cir. 2018). Workman has already served his sentence, faces no further term of supervised release, and suggests no other collateral consequences sufficient to meet the case or controversy requirement; thus, there is no longer a live controversy. Workman's challenge to the revocation of his supervised release and revocation sentence is therefore moot. *See United States v. Hardy*, 545 F.3d 280, 284 (4th Cir. 2008).

Accordingly, we dismiss the appeal for lack of jurisdiction. 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*