

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-7092**

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DAVID N. FIREWALKER-FIELDS,

Plaintiff - Appellant,

v.

COMMONWEALTH OF VIRGINIA; VIRGINIA DEPT. OF CORRECTIONS,  
VDOC; CHADWICK DOTSON,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at  
Roanoke. Michael F. Urbanski, Chief District Judge. (7:22-cv-00384-MFU-JCH)

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Submitted: October 26, 2023

Decided: November 8, 2023

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Before WILKINSON, GREGORY, and RICHARDSON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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David Nighthorse Firewalker-Fields, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David N. Firewalker-Fields, a former Virginia state prisoner, appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 complaint. In his complaint, Firewalker-Fields alleged that his inability to earn sentence credits at higher rate violated his rights to equal protection and due process, and he sought prospective injunctive relief to remedy the alleged constitutional violations. After Firewalker-Fields noted this appeal, however, he was released from state prison. Based on that intervening event, we dismiss the appeal as moot.

We “have an independent obligation to verify the existence of appellate jurisdiction, even in the absence of a jurisdictional challenge from one of the parties.” *Williamson v. Stirling*, 912 F.3d 154, 168 (4th Cir. 2018) (internal quotation marks omitted). In fulfilling that obligation, we must consider whether an appeal involves a “live case or controversy . . . since mootness goes to the heart of the Article III jurisdiction of the courts.” *Castendet-Lewis v. Sessions*, 855 F.3d 253, 260 (4th Cir. 2017) (internal quotation marks omitted). “A pending lawsuit is rendered moot when the issues presented are no longer live or the parties lack a legally cognizable interest in the outcome.” *Lighthouse Fellowship Church v. Northam*, 20 F.4th 157, 162 (4th Cir. 2021) (internal quotation marks omitted). Pertinent here, “a case may become moot after the entry of the district court's judgment and while the appeal is pending.” *Id.* If an event occurs during the pendency of an appeal that renders the case moot, then the appeal must be dismissed. *Fleet Feet, Inc. v. NIKE, Inc.*, 986 F.3d 458, 463 (4th Cir. 2021).

Because Firewalker-Fields' complaint exclusively sought injunctive relief remedying his inability to earn additional sentence credits toward his release, and because Firewalker-Fields has been released from state prison, we conclude that Firewalker-Fields lacks a legally cognizable interest in a favorable ruling in this appeal.\* *See Rendelman v. Rouse*, 569 F.3d 182, 186 (4th Cir. 2009) (“[A]s a general rule, a prisoner’s transfer or release from a particular prison moots his claims for injunctive . . . relief with respect to his incarceration there.”); *Incumaa v. Ozmint*, 507 F.3d 281, 287 (4th Cir. 2007) (“Once an inmate is removed from the environment in which he is subjected to the challenged policy or practice, absent a claim for damages, he no longer has a legally cognizable interest in a judicial decision on the merits of his claim.”).

Accordingly, we dismiss the appeal as moot. 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*

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\* Nothing in the record establishes that the rate at which Firewalker-Fields earned sentence credits in the past affects his current supervision or has any collateral consequences. And none of the exceptions to mootness apply here. *See Lighthouse Fellowship Church*, 20 F.4th at 162-63, 165 (discussing exceptions to mootness).