

United States Court of Appeals
Fifth Circuit

FILED

October 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-11422
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID WAYNE WRIGHT,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:04-CR-22-ALL

Before JOLLY, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

David Wayne Wright appeals from the 24-month sentence imposed following the revocation of his supervised release. Wright contends that the sentence was unreasonable and that the district court failed to consider the sentencing factors set forth at 18 U.S.C. § 3553(a). 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

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(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.

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

APPEAL DISMISSED.