United States Court of Appeals
Fifth Circuit
F I L E D
February 22, 2006
Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-40997, c/w
Nos. 04-41045 & 04-41610
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERRY W. WILLIAMS,

Defendant-Appellant.

Appeals from the United States District Court
for the Eastern District of Texas
USDC No. 1:00-CR-53-RAS-ALL

Before KING, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:[*]

Jerry W. Williams has appealed the district court's order modifying the conditions of his supervised release to require his placement in a community corrections center. Williams has also appealed the district court's orders denying his motions for statewide travel authorization during the 2004–05 holiday season and to have grand jury proceedings unsealed and transcribed and to unseal and transcribe all records. These three appeals have been consolidated.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Williams's appointed counsel, the Federal Public Defender, has moved for leave to withdraw, pursuant to Anders v. State of California, 386 U.S. 738 (1967), asserting that the appeal from the modification of the conditions of Williams's supervised release presents no nonfrivolous issue. Williams has filed a response to the motion.

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). After this appeal was filed, Williams's supervision was revoked on the basis of new and continuing violations of the conditions of his supervised release and he has been sentenced to an additional term of imprisonment with no further supervision. Because Williams is no longer under supervision and will not be subject to supervision after he has served his additional term of imprisonment, the appeals from the orders modifying the conditions of his supervised release and denying Williams's request for leave to travel out of state are moot. See Spencer v. Kemna, 523 U.S. 1, 7–14 (1998). The motions to have grand jury proceedings unsealed and transcribed, and to unseal and transcribe all records were predicated on the reinstatement of Williams's then pending appeal in United States v. Williams, No. 04-40136 (5th Cir. July 22, 2005) (unpublished). Because that appeal has been decided, the appeal from the order denying those motions is moot.

Because the consolidated appeals are moot, this court lacks jurisdiction. Counsel's motion to withdraw is DENIED AS UNNECESSARY and the appeal is DISMISSED.