

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

F I L E D
June 22, 2010

No. 09-50227
Conference Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MARISOL COLIN-GARCIA,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:07-CR-723-1

Before JOLLY, STEWART, and OWEN, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Marisol Colin-Garcia has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Colin-Garcia has not filed a response.

“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, section 2, of the Constitution limits federal court jurisdiction to actual cases and controversies. *Spencer v. Kemna*, 523 U.S. 1, 7 (1998). The case-or-controversy

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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.* at 7.

Upon revoking her supervised release, the district court sentenced Colin-Garcia to 15 months of imprisonment, but the court did not impose any additional term of supervised release. During the pendency of this appeal, Colin-Garcia completed her term of imprisonment and has been discharged from prison. Accordingly, there is no case or controversy for us to address.

For the foregoing reasons, this appeal is DISMISSED as moot, and counsel’s motion to withdraw is DENIED as unnecessary.