

United States Court of Appeals
For the Eighth Circuit

No. 20-1652

United States of America

Plaintiff - Appellee

v.

Robert Phillip Ivers

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: September 21, 2021
Filed: September 27, 2021
[Unpublished]

Before SMITH, Chief Judge, ARNOLD and BENTON, Circuit Judges.

PER CURIAM.

While on supervised release for threatening to murder a federal judge, *see* 18 U.S.C. § 115(a)(1)(B), and for communicating by interstate transmission a threat to injure the person of another, *see id.* § 875(c), Robert Ivers, without permission from the court or his probation officer, knowingly left the judicial district (North Dakota)

where he was residing. The district court¹ therefore revoked his supervised release and sentenced him to six months' imprisonment and thirty months' supervised release. As a condition of release, the court ordered Ivers to reside for 180 days in a North Dakota residential reentry center. Ivers asserts that the court abused its discretion in imposing this condition.

Since the filing of this appeal, the court has revoked Ivers's supervised release yet again and entered a new judgment against him, which Ivers challenges in another appeal. *See United States v. Ivers*, No. 20-3422 (8th Cir. 2020). Because Ivers is no longer serving the sentence that he challenges in this appeal it is moot, and so we have no jurisdiction over it. *See United States v. Drews*, 695 F. App'x 174, 175 (8th Cir. 2017) (unpublished per curiam); *see also Burton v. Stewart*, 549 U.S. 147, 156 (2007) (per curiam).

Appeal dismissed.

¹The Honorable Robert R. Pratt, United States District Judge for the Southern District of Iowa, sitting by designation in the United States District Court for the District of Minnesota.