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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT DAVID BELL,

Petitioner,

No. CIV S-06-0024 LKK DAD P

vs.

BILL LOCKYER, et al.,

Respondents.

ORDER

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges only the sentence he received in the Butte County Superior Court following his 2004 burglary conviction, arguing that the imposition of the upper term and a consecutive term based on facts that were not found by the jury in his case nor admitted by him violated his Sixth Amendment right to a jury trial. This court has independently verified that petitioner served his prison term and was released from state custody on May 4, 2009. “A challenge to a prison sentence becomes moot once the sentence has been served unless the petitioner continues to suffer collateral consequences.” Caswell v. Calderon, 363 F.3d 832, 836 (9th Cir. 2004).

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1 Good cause appearing, IT IS HEREBY ORDERED that, within thirty days from
2 the filed date of this order, petitioner show cause why this action should not be dismissed as
3 moot.

4 DATED: July 30, 2009.

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6 
7 _____
8 DALE A. DROZD
9 UNITED STATES MAGISTRATE JUDGE

8 DAD:8
9 bell24.moot