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7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**
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10 WILLIAM ODESSA BROWN, II,
11 Plaintiff,
12 vs.
13 LARRY SMALL, Warden,
14 Defendant.

CASE NO. 09-2165 LAB (AJB)

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

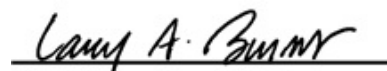
15 The Court has reviewed Judge Battaglia's R&R and finds that it appropriately
16 recommends dismissing Brown's habeas petition as moot. The Court notes that Brown filed
17 no objection to the R&R.

18 The jurisdiction of federal courts extends only to "actual cases or controversies." *Iron*
19 *Arrow Honor Soc'y v. Heckler*, 464 U.S. 67, 70 (1983). When a case doesn't present a case
20 or controversy, it's moot. *Wilson v. Terhune*, 319 F.3d 477, 479 (9th Cir. 2003) (quotations
21 omitted). Here, the basis of Brown's petition is a disciplinary proceeding in prison, but he
22 has subsequently endured the discipline at issue and been released on parole. There is
23 therefore no case or controversy properly before the court. See *id.* The petition is therefore

24 **DISMISSED.**

25 **IT IS SO ORDERED.**

26 DATED: January 19, 2011



HONORABLE LARRY ALAN BURNS
United States District Judge