

JUN 11 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>ANTHONY MOSLEY,</p> <p>Defendant - Appellant.</p> |
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No. 10-30078

D.C. No. 2:98-cr-00083-JCC

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
John C. Coughenour, District Judge, Presiding

Submitted May 25, 2010**

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

Anthony Mosley appeals from the district court’s order modifying the conditions of his supervised release.

Mosley is no longer subject to the supervised release condition that is the subject of this appeal. Accordingly, Mosley’s appeal from the district court’s order

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

must be dismissed as moot. *See United States v. Strong*, 489 F.3d 1055, 1059 (9th Cir. 2007) (“An appeal is moot when, by virtue of an intervening event, a court of appeals cannot grant any effectual relief whatever in favor of the appellant”) (internal quotation marks omitted).

DISMISSED.