

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 31 2015

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

ROLANDO ESTEBAN SANCHEZ,

Petitioner - Appellant,

v.

G. D. LEWIS,

Respondent - Appellee.

No. 14-55862

D.C. No. 5:12-cv-02018-DOC

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
David O. Carter, District Judge, Presiding

Submitted August 25, 2015**

Before: McKEOWN, CLIFTON, and HURWITZ, Circuit Judges.

California state prisoner Rolando Esteban Sanchez appeals pro se from the district court's judgment granting in part and denying in part his 28 U.S.C. § 2254 habeas petition. We dismiss.

* 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).

Sanchez raises several challenges to his convictions and sentence for murder and related offenses. The district court granted a certificate of appealability (“COA”) only as to Sanchez’s claim that there was insufficient evidence to support his conviction for carrying a concealed weapon in a vehicle. While this appeal was pending, the state court dismissed that count.¹ Because Sanchez is no longer in custody for the concealed weapon offense, this court “cannot grant any effectual relief” in Sanchez’s favor and the certified claim is moot. *See Calderon v. Moore*, 518 U.S. 149, 150 (1996) (per curiam) (internal quotations omitted).

We treat Sanchez’s additional arguments as a motion to expand the COA and deny the motion. *See* 9th Cir. R. 22-1(e); *Hiivala v. Wood*, 195 F.3d 1098, 1104-05 (9th Cir. 1999) (per curiam).

DISMISSED.

¹ We grant appellee’s request for judicial notice of the transcript from Sanchez’s June 30, 2014, resentencing hearing in state court.