

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 23 2019

FOR THE NINTH CIRCUIT

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

MATTHEW TYE,

Plaintiff-Appellant,

v.

COUNTY OF ORANGE; et al.,

Defendants-Appellees.

No. 18-56285

D.C. No. 8:18-cv-00544-DOC-FFM

MEMORANDUM*

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

Submitted April 17, 2019**

Before: McKEOWN, BYBEE, and OWENS, Circuit Judges.

Matthew Tye appeals pro se from the district court's order denying his motion for a preliminary injunction in his 42 U.S.C. § 1983 action alleging constitutional claims arising from the imposition of certain parole conditions. We review de novo questions of our own jurisdiction. *Hunt v. Imperial Merch. Servs.*,

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

Inc., 560 F.3d 1137, 1140 (9th Cir. 2009). We dismiss the appeal for lack of jurisdiction.

Because Tye is no longer on parole or subject to the challenged conditions, we cannot grant the relief Tye requests and we dismiss the appeal as moot. *See Am. Cas. Co. of Reading, Pa. v. Baker*, 22 F.3d 880, 896 (9th Cir. 1994) (a case is moot when there is no longer a present controversy as to which effective relief can be granted).

Defendants' motion for judicial notice (Docket Entry No. 15) is granted.

DISMISSED.