

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-4079

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WALTER LEE SADLER,

Defendant - Appellant.

No. 03-4243

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WALTER LEE SADLER,

Defendant - Appellant.

Appeals from the United States District Court for the Western
District of North Carolina, at Charlotte. Richard L. Voorhees,
District Judge; Carl Horn, III, Magistrate Judge. (CR-95-134-V)

Submitted: September 15, 2003

Decided: March 4, 2004

Before LUTTIG and MOTZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Randolph M. Lee, Charlotte, North Carolina, for Appellant. Robert
James Conrad, Jr., United States Attorney, Jennifer Marie Hoefling,
Assistant United States Attorney, Charlotte, North Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

In these consolidated appeals, Walter Lee Sadler appeals the magistrate judge's order directing his detention pending a hearing on the revocation of his supervised release (No. 03-4079), and the district court's order revoking his supervised release and imposing a fourteen-month custodial sentence (No. 03-4243). Sadler's attorney filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), in which he asserts there are no meritorious issues for appeal but examines the validity of the district court's revocation order nevertheless. Sadler has not filed a pro se supplemental brief though notified of his opportunity to do so. For the following reasons, we dismiss both appeals.

Sadler's appeal from the magistrate judge's order directing his pre-revocation detention is moot following his stipulation to several violations of his supervised release and the district court's imposition of a post-revocation sentence. See United States v. O'Shaughnessy, 772 F.2d 112, 113 (5th Cir. 1985) (citing Murphy v. Hunt, 455 U.S. 478, 481-82 (1982)). Likewise, because Sadler has been unconditionally discharged from custody and because there are no continuing collateral consequences from the district court's revocation order and sentence, Sadler's appeal from that order is also moot. See Spencer v. Kemna, 523 U.S. 1, 10 (1998).

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore dismiss Sadler's appeals as moot. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED