

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-4246

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WALTER LEE MATTISON, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Henry M. Herlong, Jr., Senior District Judge. (8:15-cr-00302-HMH-1)

Submitted: November 7, 2022

Decided: November 16, 2022

Before NIEMEYER, QUATTLEBAUM, and RUSHING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

ON BRIEF: Benjamin T. Stepp, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Greenville, South Carolina, for Appellant. Adair F. Boroughs, United States Attorney, Winston I. Marosek, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Walter Lee Mattison, Jr., appeals the eight-month sentence imposed upon revocation of his supervised release. During the pendency of this appeal, Mattison was released from incarceration.

“Because mootness is jurisdictional, we can and must consider it even if neither party has raised it.” *United States v. Ketter*, 908 F.3d 61, 65 (4th Cir. 2018). “A case becomes moot—and therefore no longer a ‘Case’ or ‘Controversy’ for purposes of Article III—when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Id.* (internal quotation marks omitted). Because Mattison has already served his term of imprisonment and the district court did not impose any additional term of supervised release, there is no longer a live controversy regarding the revocation sentence. Thus, Mattison’s challenge to the reasonableness of the revocation sentence is moot. *See United States v. Hardy*, 545 F.3d 280, 283-84 (4th Cir. 2008).

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

DISMISSED