

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-50248
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 6, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BERNARDINO MEJIA-MEJIA,

Defendant-Appellant

consolidated with No. 17-50249

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BERNARDINO MEJIA,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 2:14-CR-1080-1
USDC No. 2:16-CR-1250-1

No. 17-50248
c/w No. 17-50249

Before REAVLEY, PRADO, and GRAVES, Circuit Judges.

PER CURIAM:*

In this consolidated appeal, Bernardino Mejia-Mejia appeals the sentences imposed following the revocation of his term of supervised release and his new conviction of illegal reentry. Mejia-Mejia was released from prison on November 17, 2017. The Federal Public Defender has filed a motion to withdraw and a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Mejia-Mejia has not filed a response.

This court should always be cognizant of jurisdiction and should examine the issue sua sponte if needed. *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). Mejia-Mejia's release from prison moots his appeal in No. 17-50248. *See United States v. Heredia-Holguin*, 823 F.3d 337, 340 (5th Cir. 2016) (en banc). Accordingly, the appeal in No. 17-50248 is DISMISSED AS MOOT. Counsel's motion to withdraw in No. 17-50248 DENIED AS UNNECESSARY.

Mejia-Mejia's release from prison does not moot his appeal in No. 17-50249. *See United States v. Lares-Meraz*, 452 F.3d 352, 355 (5th Cir. 2006). We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw in No. 17-50249 is GRANTED, counsel is excused from further responsibilities herein, and the appeal in No. 17-50249 is DISMISSED AS FRIVOLOUS. *See* 5TH CIR. R. 42.2.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.