NOT FOR PUBLICATION

FILED

DEC 3 2018

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT ADAM McGUFFEY, Plaintiff-Appellant, v. TRAVIS BENNETT; et al., Defendants-Appellees.	No. 18-15320 D.C. No. 3:16-cv-00356-MMD-VPC MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted November 27, 2018**

Before: CANBY, TASHIMA, and FRIEDLAND, Circuit Judges.

Former Nevada state prisoner Robert Adam McGuffey appeals pro se from this district court's judgment in his 42 U.S.C. § 1983 action alleging constitutional claims. We review de novo questions of our own jurisdiction. *Hunt v. Imperial Merchant Servs., Inc.*, 560 F.3d 1137, 1140 (9th Cir. 2009). We dismiss the appeal

* 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).

as moot.

McGuffey sought only injunctive relief in his complaint. On June 7, 2018, this court received a notice from McGuffey indicating that he had been released from prison and was on parole. Because McGuffey is no longer incarcerated, this appeal is 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); *see also Alvarez v. Hill*, 667 F.3d 1061, 1064 (9th Cir. 2012) ("An inmate's release from prison while his claims are pending generally will moot any claims for injunctive relief" (citation and internal quotation marks omitted)).

DISMISSED.