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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MICHAEL HOOEY,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>WILLIAM BROWN, Community Center Manager, Bureau of Prisons,</p> <p>Respondent - Appellee.</p>

No. 07-35667

D.C. No. CV-07-00893-MO

MEMORANDUM *

Appeal from the United States District Court
for the District of Oregon
Michael W. Mosman, District Judge, Presiding

Submitted May 5, 2008**
Portland, Oregon

Before: TALLMAN, CLIFTON, and N.R. SMITH, Circuit Judges.

Michael Hooey appeals the district court’s denial of his federal habeas corpus petition. We dismiss the petition as moot.

At the time Hooey filed his petition, he was confined to the Jackson County Transition Center (“JCTC”) in Phoenix, Oregon. In his petition, he asks that the

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Bureau of Prisons (“BOP”) allow him to serve the remainder of his sentence in home confinement. The petition also demands that the BOP provide him with medical treatment for his leukemia.

The passage of time has provided Hooey with everything he seeks in his petition. After he filed his petition, the BOP guaranteed him the medical care he was seeking. On August 30, 2007, he completed his term of confinement at JCTC and is now on supervised release living at home. His petition is therefore moot. *See In re Burrell*, 415 F.3d 994, 998 (9th Cir. 2005) (holding that a court cannot grant any effectual relief and an appeal is moot where a plaintiff has already received all the relief he sought).

DISMISSED AS MOOT.

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