

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

-----  
No. 04-16012  
-----

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
April 21, 2006  
THOMAS K. KAHN  
CLERK

D. C. Docket No. 03-01570-CV-ORL-18-DAB

MICHAEL ALLEN SANDERS,

Petitioner-Appellant,

versus

SECRETARY FOR THE DEPARTMENT OF CORRECTIONS,  
ATTORNEY GENERAL OF FLORIDA,

Respondents-Appellees.

-----  
Appeal from the United States District Court  
for the Middle District of Florida  
-----

**(April 21, 2006)**

Before BIRCH, CARNES and BRUNETTI\*, Circuit Judges.

PER CURIAM:

\_\_\_\_\_  
\* Honorable Melvin Brunetti, United States Circuit Judge for the Ninth Circuit, sitting by designation.

Because of Petitioner-Appellant's release from incarceration on April 6, 2006, this case is now moot. See Lane v. Williams, 455 U.S. 624, 633–34, 102 S. Ct. 1322, 1328 (1982). As a result, this Court and the district court lack subject matter jurisdiction over it. Accordingly, we dismiss this appeal, vacate the district court's judgment, and remand to the district court to dismiss this case as moot.

VACATED and REMANDED with instructions to DISMISS the case.