

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-12360
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE ENRIQUE-GOMEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:22-cr-00003-WFJ-TGW-3

Before JORDAN, ABUDU, and KIDD, Circuit Judges.

PER CURIAM:

Jose Enrique-Gomez appeals from the district court's denial of his request for a sentence reduction, pursuant to 18 U.S.C. § 3582(c). On appeal, Enrique-Gomez argues that the district court

abused its discretion because it denied his motion based on erroneous findings and improperly weighed the 18 U.S.C § 3553(a) factors when determining whether he was entitled to a sentence reduction. While his appeal was pending, Enrique-Gomez was released from prison. Thus, after careful review, we find that Enrique-Gomez’s appeal is moot.

We review jurisdictional issues *de novo* and evaluate our jurisdiction *sua sponte*. *United States v. Lopez*, 562 F.3d 1309, 1311 (11th Cir. 2009). “[A] federal court has no authority to give opinions upon moot questions . . . or to declare principles or rules of law which cannot affect the matter in issue in the cases before it.” *Christian Coal. of Fla., Inc. v. United States*, 662 F.3d 1182, 1189 (11th Cir. 2011) (internal quotations and citations omitted). A case is moot when a party seeking relief no longer suffers from or is threatened by an actual injury that could be redressed by a favorable judicial decision. *United States v. Juv. Male*, 564 U.S. 932, 936 (2011).

In criminal cases, a defendant’s challenge to his sentence becomes moot after the expiration of his sentence unless he can show a “continuing injury” or a “collateral consequence.” *Id.* (internal quotation marks omitted). However, where a defendant is still serving a term of supervised release, any challenge “related to that aspect of his sentence is not moot.” *United States v. Stevens*, 997 F.3d 1307, 1310 n.1 (11th Cir. 2021).

Here, because Enrique-Gomez has completed his term of imprisonment, which is the only aspect of his sentence he is challenging, his appeal from the denial of his Section 3582(c) motion is

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moot. *Juv. Male*, 564 U.S. at 936; *Stevens*, 997 F.3d at 1310 n.1. Therefore, we lack jurisdiction over this appeal. See U.S. Const. art. III, § 2.

Accordingly, Enrique-Gomez's appeal is **DISMISSED**.