

court sentenced defendant to consecutive terms of six years in prison for the delivery charge and four years in prison for the possession charge. Defendant was given 306 days of credit for time served on the possession count and 1,179 days of credit for time served on the delivery count.

Two other felony cases were dismissed by the State pursuant to the agreement.

¶ 5 In March 2012, defendant filed a postconviction petition in which he alleged he was not receiving the 306 days of credit awarded to him for his possession conviction. Defendant requested the trial court order the credit, or in the alternative, reduce his 4-year sentence for possession to 2 years, 347 days. In support of his petition, defendant attached an Illinois Department of Corrections (DOC) sentence calculation worksheet that purportedly shows DOC did not award him the 306 days' credit ordered by the court. That same month, the court appointed counsel for defendant.

¶ 6 In June 2012, an evidentiary hearing was held on defendant's postconviction petition. Defendant testified he did not receive the 306 days of credit awarded to him on the possession charge (based on the sentence calculation worksheet) and, if he had received the credit he would have already been released from prison. Defense counsel requested the court enter an order giving defendant credit for 1,485 days served, arguing "given the state of our bureaucracy, unless we make that computation for [DOC], they're not able to put those numbers together." The court held it was up to DOC to determine defendant's "out date" and noted it had no evidence "by way of proof" DOC did not apply the credit previously ordered by the court. The court denied defendant's motion. Immediately thereafter, OSAD was appointed to represent defendant on appeal.

¶ 7 In June 2013, OSAD moved to withdraw, including in its motion a brief in

conformity with the requirements of *Pennsylvania v. Finley*, 481 U.S. 551 (1987). On its own motion, this court granted defendant leave to file additional points and authorities by July 12, 2013. Defendant has not done so. After examining the record and executing our duties in accordance with *Finley*, we grant OSAD's motion and affirm the trial court's judgment.

¶ 8

II. ANALYSIS

¶ 9 OSAD argues this appeal presents no meritorious claim upon which defendant could realistically expect to obtain relief due, in part, to the fact this case is rendered moot where defendant has been released from prison. We agree.

¶ 10 The only issue raised in defendant's postconviction petition was whether the trial court should have filed an amended sentencing order. The court denied the motion because defendant offered no proof he did not receive all of the sentence credit awarded by the court at the time of sentencing. Thus, the only issue for potential review is whether the trial court erred in denying the petition. However, because defendant has since been released from prison, this issue is moot.

¶ 11 "A case is moot if the issues involved in the trial court have ceased to exist because intervening events have made it impossible for the reviewing court to grant effectual relief to the complaining party." *People v. Roberson*, 212 Ill. 2d 430, 435, 819 N.E.2d 761, 764 (2004). Further, a defendant's challenge to his sentence is moot "where defendant has completed serving his sentence." *People v. McNulty*, 383 Ill. App. 3d 553, 558, 892 N.E.2d 73, 77 (2008). The website for DOC indicates defendant was released from prison on September 21, 2012. This court has no authority to strike or shorten the length of a defendant's term of mandatory supervised release. *People v. Whitfield*, 217 Ill. 2d 177, 202, 840 N.E.2d 658, 673 (2005). Because no

effectual relief can be granted, this appeal is moot.

¶ 12

III. CONCLUSION

¶ 13 After reviewing the record consistent with our responsibilities under *Finley*, we agree with OSAD no colorable argument can be made in this appeal, and we grant OSAD's motion to withdraw as counsel for defendant and affirm the trial court's judgment.

¶ 14

Affirmed.