

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP JACKSON LYONS,  
Appellant,  
vs.  
WARDEN, LOVELOCK  
CORRECTIONAL CENTER, CRAIG  
FARWELL,  
Respondent.

No. 43287

**FILED**

SEP 30 2004

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court dismissing a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

On July 10, 2003, appellant filed a proper person petition for a writ of habeas corpus in the district court. The district court appointed counsel, and counsel filed supplemental documents. The State opposed the petition. On March 31, 2004, the district court dismissed the petition. This appeal followed.

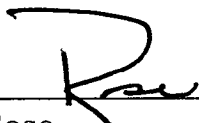
In his petition, appellant challenged his placement in administrative segregation, an institutional transfer, a change in classification, and loss of employment. Appellant also challenged the fact that he was the subject of an investigation. Appellant asserted that various constitutional rights were violated in retaliation because of a letter he sent to the Director of the Department of Corrections.

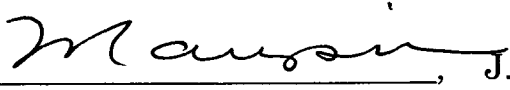
Based upon this court's review of the record on appeal, we conclude that the district court did not err in dismissing appellant's habeas corpus petition. "We have repeatedly held that a petition for a writ of habeas corpus may challenge the validity of current confinement, but

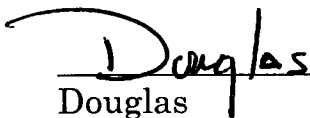
not the conditions thereof."<sup>1</sup> Because appellant challenged the conditions of his confinement, appellant's claim was not cognizable in a petition for a writ of habeas corpus.

Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Douglas

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<sup>1</sup>Bowen v. Warden, 100 Nev. 489, 686 P.2d 250 (1984); see also Sandin v. Conner, 515 U.S. 472, 486 (1995) (holding that liberty interests protected by the Due Process Clause will generally be limited to freedom from restraint which imposes an atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life).

<sup>2</sup>See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

<sup>3</sup>We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.

cc: Hon. Lee A. Gates, District Judge  
Phillip Jackson Lyons  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk