

IN THE SUPREME COURT OF THE STATE OF NEVADA

ABDULLAH KRU AMIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43333

FILED

SEP 17 2004

ORDER OF AFFIRMANCE

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

This is a proper person appeal from an order of the district court dismissing appellant Abdullah Kru Amin's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

On January 7, 2004, Amin filed a post-conviction petition for a writ of habeas corpus in the district court. The State opposed the petition and Amin filed a response. On March 11, 2004, the district court dismissed Amin's petition for lack of jurisdiction. This appeal followed.


Amin is currently incarcerated at the High Desert State Prison in Nevada pursuant to several Wyoming judgments of conviction; he is not under any Nevada sentence. In the instant petition, Amin contended that he is being illegally confined by the State of Nevada. Amin specifically argued that he discharged his sentence for sexual assault on December 6, 2003, but prison records do not indicate that he has begun serving his consecutive life sentence for armed robbery.

We conclude that the district court did not err in dismissing Amin's petition. Amin is confined in Nevada pursuant to the Interstate

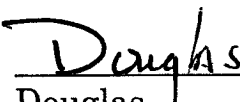
Corrections Compact.¹ Article IV(c) of the Compact provides that, "[i]nmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state."² As such, Amin should have filed his petition in Wyoming. Because Nevada lacks jurisdiction to entertain Amin's claim, we affirm the order of the district court.

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that Amin is not entitled to relief and that briefing and oral argument are unwarranted.³ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

¹See NRS 215A.010 et seq.

²See NRS 215A.020.

³See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Donald M. Mosley, District Judge
Abdullah Kru Amin
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk