

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONNELLE B. JOHNSON,
Appellant,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS AND WARDEN,
LOVELOCK CORRECTIONAL
CENTER, CRAIG FARWELL,
Respondents.

No. 46574

FILED

MAR 27 2006

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 denying a petition for a writ of habeas corpus challenging prison disciplinary proceedings. Sixth Judicial District Court, Pershing County; Richard Wagner, Judge.

On September 27, 2004, appellant filed a proper person petition for a writ of habeas corpus in the district court challenging a prison disciplinary hearing resulting in 10 days in disciplinary segregation, forfeiture of a ring, and forfeiture of seventy-five days of good time credits. The State filed a motion to dismiss the petition on the ground that it was moot as appellant had been discharged from the custody of the Nevada Department of Corrections. On October 19, 2005,

the district court denied appellant's petition as moot. This appeal followed.

We conclude that the district court did not err in denying appellant's petition. To the extent that appellant challenged his placement in disciplinary segregation or the forfeiture of the ring, appellant's challenges were not cognizable in a habeas corpus petition.¹ As to appellant's remaining challenge to the loss of good time credits, the district court correctly determined that the issue was moot as appellant had been discharged.² Therefore, we affirm the order of the district court denying appellant's petition.

¹See Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 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). It appears that a challenge to the forfeiture of the ring was moot as the record indicates that appellant was permitted to mail the ring to a person outside the prison.

²See generally Johnson v. Director, Dep't Prisons, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989) (stating that expiration of a defendant's sentence rendered any question concerning computation of the sentence moot).

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.³ Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

cc: Hon. Richard Wagner, District Judge
Donnelle B. Johnson
Attorney General George Chanos/Carson City
Pershing County Clerk

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