

IN THE SUPREME COURT OF THE STATE OF NEVADA


THOMAS MCGUIRE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47586

FILED

OCT 13 2006


ORDER OF AFFIRMANCE

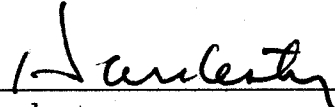
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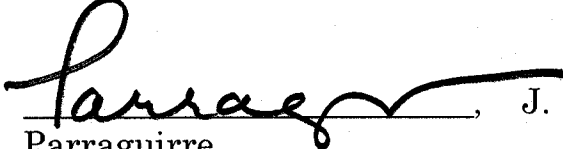
This is a proper person appeal from an order of the district court denying a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

We have reviewed the record on appeal and we conclude that the district court did not err in denying appellant's petition for the reasons stated in the attached order. Therefore, briefing and oral argument are not warranted in this case.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Becker


_____, J.
Hardesty


_____, J.
Parraguirre

¹See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Lee A. Gates, District Judge
Thomas McGuire
Attorney General George Chanos/Carson City
Clark County Clerk

ORIGINAL

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Shirley B. Pennington
CLERK.

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DISTRICT COURT
CLARK COUNTY, NEVADA

9 THOMAS MC GUIRE,
10
11 Petitioner,
12
13 v.
14 STATE OF NEVADA,
15
16 Respondent.

Case No. C 114430
Dept. No. VIII

ORDER DENYING PETITION

14 This matter came on for hearing on the petition for writ of habeas corpus filed by inmate
15 Thomas McGuire. The claims are difficult to decipher. Claim 1 appears to allege that the
16 Petitioner was denied parole release for retaliatory reasons for "the exercise of right of access
17 to the process of a hearing as a whole an improper misuse as a reason for the Board action."
18 (sic). Claim 2 appears to allege that the Petitioner passed and completed C-Base class and
19 other requirements necessary to comport with the state's S.T.A.P. and that he was subject to
20 self incrimination. Claim 3 alleged, strangely, that claims 1 and 2 have been exhausted in the
21 Nevada Supreme Court for purposes of federal law. (The Petitioner may be confusing this
22 proceeding with one brought under 28 U.S.C. § 2254. The court would note that the second
23 page of the petition bears a file stamp of the United States District Court, and a federal court
24 case number)

25 Having reviewed the claims in the petition, as well as the Respondents motion to
26 dismiss, the court finds that, in addition to having failed to name a cognizable custodial
27 Respondent, the claims are so unfocused as to fail to state claims cognizable in this habeas
28 corpus proceeding.

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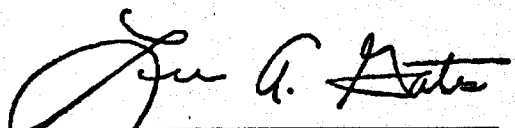
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IT IS THEREFORE ORDERED that the petition for writ of habeas corpus heretofore
filed on January 30, 2006, be and hereby is, dismissed.

IT IS SO ORDERED.

dated: May 19, 2006


District Court Judge



Submitted by:

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