

IN THE SUPREME COURT OF THE STATE OF NEVADA

DELL MARVIN ROBERTS,
Appellant,
vs.
RN KATHY KING; WARDEN WILLIAM
DONAT; NEVADA DEPARTMENT OF
CORRECTIONS; TIENE HOWARD;
AND CORRECTIONAL OFFICER
JERMYN,
Respondents.

No. 47829

FILED

DEC 15 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 dismissing appellant's post-conviction petition for a writ of habeas corpus. First Judicial District Court, Carson City; Michael R. Griffin, Judge.

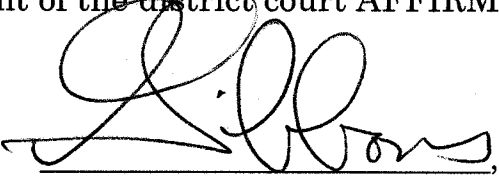
On March 28, 2006, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court. On July 20, 2006, the State filed a request for submission. The district court dismissed the petition on August 2, 2006. This appeal followed.

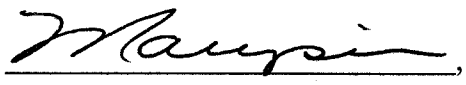
In his petition, appellant claimed that his constitutional rights were being violated because he was receiving inadequate medical treatment. Specifically, appellant claimed that he needed emergency oral surgery; the staff will not give him pain medication; the staff is rude, insensitive, unprofessional and harasses him; and he is being forced to take a treatment he completed in Folsom Prison. All of these claims challenge the conditions of appellant's confinement and are not cognizable

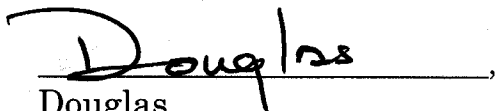
in a post-conviction petition for a writ of habeas corpus.¹ Accordingly, we conclude the district court did not err in dismissing appellant's petition.

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.² Accordingly, we

ORDER the judgment of the district court AFFIRMED.


Gibbons J.


Maupin J.


Douglas J.

cc: Hon. Michael R. Griffin, District Judge
Dell Marvin Roberts
Attorney General George Chanos/Carson City
Carson City Clerk

¹See Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984).

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