

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRANCE L. OLIVER,
Appellant,
vs.
WARDEN, NEVADA STATE PRISON,
WILLIAM DONAT; AND THE STATE
OF NEVADA BOARD OF PAROLE,
Respondents.

No. 52553

FILED

APR 23 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
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. First Judicial District Court, Carson City; William A. Maddox, Judge.

On April 2, 2008, appellant filed a proper person petition for a writ of habeas corpus in the district court. The State filed a motion to dismiss. Appellant filed a response. On September 25, 2008, the district court dismissed the petition. This appeal followed.

In his petition, appellant asserted that he was denied a timely parole hearing. Appellant asserted that he was eligible for a parole hearing on March 23, 2008, but that he had not received a parole hearing on that date.

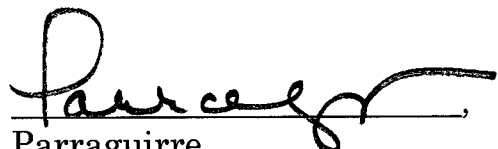
The district court dismissed the petition on the ground that because an inmate does not have a right to be paroled, an inmate does not have a right to a parole hearing on a particular date.

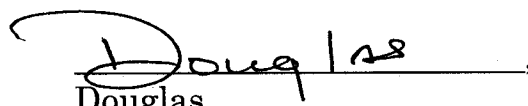
However, it appeared that appellant may have received a parole hearing on September 10, 2008, which would render the petition moot as the only remedy available would be to order the Parole Board to

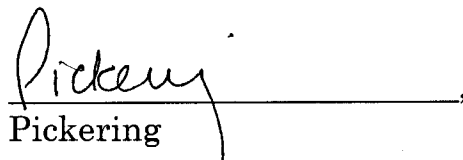
conduct a hearing. Thus, this court directed the Attorney General to file a response indicating whether a parole hearing has been conducted, and if so, to provide appropriate documentation. The Attorney General filed a timely response indicating that appellant did receive a parole hearing on September 10, 2008, and the Attorney General provided documentation regarding the parole hearing. Because appellant received a parole hearing, appellant's petition was rendered moot during the pendency of the proceedings, and for that reason, we affirm the order of the district court dismissing the 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. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: First Judicial District Court Dept. 2, District Judge
Terrance L. Oliver
Attorney General Catherine Cortez Masto/Carson City
Attorney General Catherine Cortez Masto/Reno
Carson City Clerk