

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONTE SMITH,
Appellant,
vs.
WARDEN, D. W. NEVEN,
Respondent.

No. 54755

FILED

MAR 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.

In his petition, appellant challenged a 2008 disciplinary hearing during which appellant was found guilty of MJ19 (sexual assault) and sanctioned by way of “20 months Disciplinary Segregation, Category A stat referral, AG referral, and Restitution TBD.” As the sanctions against appellant did not affect the length of his sentence, appellant’s claims constituted a challenge to the conditions of confinement, and were not cognizable in a habeas corpus petition. See Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984); see also Sandin v. Conner, 515 U.S.

¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

472 (1995). Therefore, the district court did not err in denying appellant's petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Dan L. Papez, District Judge
Donte Smith
Attorney General/Carson City
White Pine County Clerk