

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN K. PAAJANEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54825

FILED

MAY 07 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingold*
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 Eighth Judicial District Court, Clark County; Jennifer Togliatti, Judge.

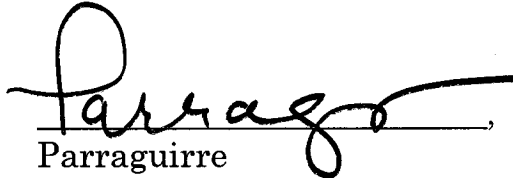
In his petition filed on June 1, 2009, in district court case number C175198, appellant challenged the validity of his judgment of conviction. The petition was not cognizable, however, because appellant was not in custody in this case when he filed the petition.² Jackson v. State, 115 Nev. 21, 23, 973 P.2d 241, 242 (1999); see also Nev. Const. art. 6, § 6(1) (providing that the district courts may issue a writ of habeas corpus on petition by "any person who is held in actual custody in their


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).

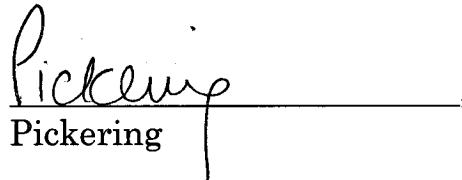
²The district court erroneously determined that the petition was procedurally barred without consideration of appellant's custody status. Regardless, the district court reached the correct result in denying the petition. Kramer v. Kramer, 96 Nev. 759, 616 P.2d 395 (1980).

respective districts, or who has suffered a criminal conviction in their respective districts and has not completed the sentence imposed pursuant to the judgment of conviction"). Therefore, we

ORDER the judgment of the district court AFFIRMED.³


Parraguirre, C.J.


Hardesty, J.


Pickering, J.

cc: Hon. Jennifer Togliatti, District Judge
Steven Keith Paajanen
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

³It appears that appellant may have been confused when he filed the petition in this case as it appears he was attempting to obtain an amended judgment of conviction in district court case number C208671. Appellant should file a legible, intelligible petition in district court case number C208671 seeking enforcement of this court's order vacating the count of violating the conditions of lifetime supervision and requiring an amended judgment of conviction. See Paajanen v. State, Docket No. 47999 (Order Affirming in Part, Reversing in Part, Vacating Conviction in Part and Remanding, September 7, 2007).