


IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD WOODARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 55095

**FILED**

NOV 08 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's May 27, 2009, post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

Appellant first claimed that trial counsel was ineffective for failing to file pretrial motions or discuss defenses with appellant prior to the preliminary hearing. Appellant failed to allege specific facts that, if true, would entitle him to relief. Hargrove v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). We therefore conclude that the district court did not err in denying these claims.

Appellant also claimed that counsel was ineffective at both his sentencing and subsequent probation-revocation hearings. Both claims

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<sup>1</sup>This 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).

To the extent that appellant appealed the denial of his motion for counsel, we conclude the district court did not abuse its discretion in denying the motion. See NRS 34.750(1).

ultimately challenged the sentence appellant received. In response to an order of this court, the attorney general advised that appellant discharged his sentence while his appeal was pending in this court. Accordingly, appellant's claims regarding his sentence and probation revocation are now moot. Knight v. State, 116 Nev. 140, 143-44, 993 P.2d 67, 70 (2000); see also Spencer v. Kemna, 523 U.S. 1, 8, 14 (1998) (requiring proof of continuing collateral consequences).

Finally, appellant claimed that his sentence was illegal because it was imposed outside the statutory guidelines. The record reflects that appellant's original sentence was illegal but that it was corrected at his probation-revocation hearing. As the error was corrected prior to the filing of the petition and appellant has since discharged his sentence, the claim is moot.

For the foregoing reasons, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

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<sup>2</sup>We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.

cc: Hon. Valorie Vega, District Judge  
Richard Woodard  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk