

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY WILLIAM HUNTER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56581

**FILED**

**MAR 18 2011**

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 denying a post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Stefany Miley, Judge.


In his petition filed on May 11, 2010, appellant claimed that his conviction for felony DUI was improper because a previous conviction for DUI, which was used to enhance the instant charge, was not valid. This claim fell outside the scope of claims permissible in a post-conviction petition for a writ of habeas corpus challenging a judgment of conviction


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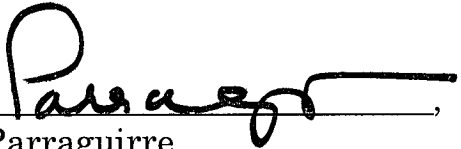
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

based upon a guilty plea. NRS 34.810(1)(a). Therefore the district court did not err in denying this claim.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Stefany Miley, District Judge  
Gregory William Hunter  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>Although the district court correctly observed that the original petition was not verified and was not in substantial compliance with the form set forth in NRS 34.735, those defects were curable. See Miles v. State, 120 Nev. 383, 387, 91 P.3d 588, 590 (2004). However, the district court correctly determined that appellant's claim fell outside the scope of claims permissible in a post-conviction petition for a writ of habeas corpus and therefore, the petition was properly denied.