

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS MCCABE,
Appellant,
vs.
WARDEN, ERIK K. MCDANIEL,
Respondent.

No. 56894

FILED

MAR 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY J. MCDP
DEPUTY CLERK

ORDER OF AFFIRMANCE

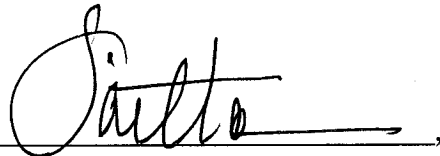
This is a proper person appeal from an order of the district court dismissing a post-conviction petition for a writ of habeas corpus.¹ Seventh Judicial District Court, White Pine County; Steve L. Dobrescu, Judge.

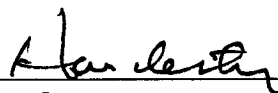
Appellant's claims challenged the conditions of confinement, and thus, were not cognizable in a petition for a writ of habeas corpus filed in state court. Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 250

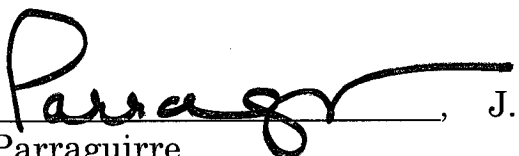
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

(1984); see also Sandin v. Conner, 515 U.S. 472, 484 (1995).² Therefore, the district court did not err in dismissing the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Steve L. Dobrescu, District Judge
Dennis McCabe
Attorney General/Carson City
White Pine County Clerk

²To the extent appellant claimed that 365 days of statutory credit were forfeited in violation of due process, he did not demonstrate that there was a due process violation.