

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY W. CONNORS,
Appellant,
vs.
WARDEN, ELY STATE PRISON, E.K.
MCDANIEL,
Respondent.

No. 57134

FILED

MAY 09 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingerson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

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

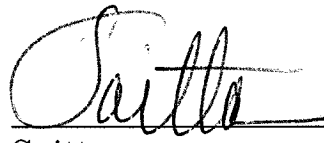
In his petition, filed on February 22, 2010, appellant challenged prison disciplinary proceedings that resulted in a finding of guilt of MJ21 (theft), MJ26 (possession of contraband), and MJ31 (unauthorized use of equipment or mail). Appellant was sanctioned to disciplinary segregation and the loss of statutory good time credits.²

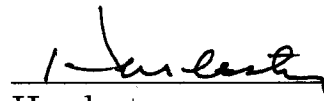
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

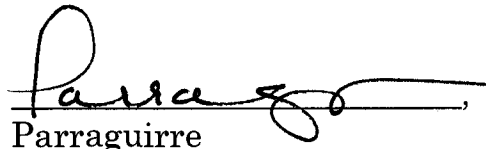
²To the extent that appellant challenged his placement in disciplinary segregation, his claims were not cognizable in a petition for a writ of habeas corpus. See Bowen v. Warden, 100 Nev. 489, 686 P.2d 250 (1984); see also Sandin v. Conner, 515 U.S. 472, 486 (1995) (holding that liberty interest protected by the Due Process Clause will generally be limited to freedom from restraint which imposes an atypical and
continued on next page . . .

Appellant failed to allege or demonstrate the violation of a protected due process right recognized in Wolff v. McDonnell, 418 U.S. 539 (1974). To the extent appellant claimed a due process violation in the prison appeals process, an institutional appeal is not a protected due process right. See Sandin v. Conner, 515 U.S. 472, 486 (1995). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Steve L. Dobrescu, District Judge
Timothy W. Connors
Attorney General/Carson City
Attorney General/Ely
White Pine County Clerk

... continued

signification hardship on the inmate in relation to the ordinary incidents of prison life).