


IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK A. COSTANTINO,
Appellant,
vs.
E.K. MCDANIEL, WARDEN,
Respondent.

No. 57155

FILED

MAY 09 2011

TRACE 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 dismissing a post-conviction petition for a writ of habeas corpus.¹ Seventh Judicial District Court, White Pine County; Steve L. Dobrescu, Judge.


In his petition filed on November 23, 2009, appellant challenged his placement in administrative segregation, that his placement in administrative segregation prevented him from earning statutory good time and work credits, the prison's failure to provide him with a hearing for over two years regarding his classification as a member of a strategic threat group, and the determination at a disciplinary hearing that he was refusing to be roommates with other inmates.²

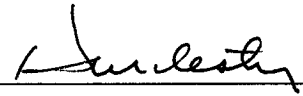
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

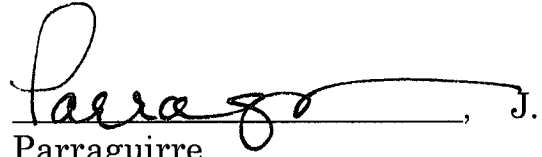
²Appellant did not allege that he lost any credits as a result of this disciplinary hearing.

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 (1984); see also Sandin v. Conner, 515 U.S. 472, 484 (1995). Therefore, we conclude that the district court did not err in denying the petition, and we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Steve L. Dobrescu, District Judge
Derek A. Costantino
Attorney General/Ely
White Pine County Clerk