

IN THE SUPREME COURT OF THE STATE OF NEVADA

OCTAVIO MENDOZA,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 57180

FILED

MAY 09 2011

ORDER OF AFFIRMANCE

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY J. M. [Signature]
DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

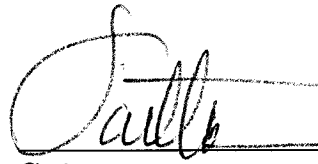
In his petition filed on January 12, 2010, appellant challenged the loss of statutory good time credits as the result of a prison disciplinary hearing in which he was found guilty of threats and gang activity.

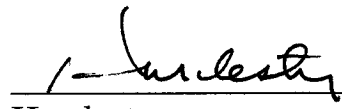
Based upon our review of the record on appeal, we conclude that appellant failed to demonstrate the violation of any protected due process rights for the following reasons: (1) he received adequate notice of the charges, (2) he failed to demonstrate that he requested any witnesses to testify at the disciplinary hearing or that he was denied his qualified right to call witnesses, (3) he received a written statement of the evidence relied upon, and (4) some evidence supported the decision of the

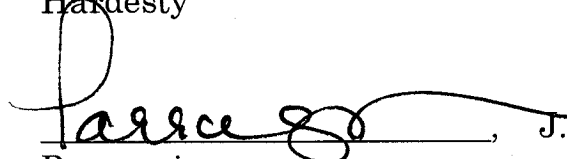
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

disciplinary hearing officer. See Wolff v. McDonell, 418 U.S. 539, 563-69 (1974); Superintendent v. Hill, 472 U.S. 445, 455-56 (1985). Appellant's claims that he was denied a preliminary hearing and a fair and impartial appeal do not implicate his due process rights, see Wolff, 418 U.S. at 563-69, and would not entitle him to relief. Therefore, the district court did not err in denying appellant's petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Kathy A. Hardcastle, District Judge
Octavio Mendoza
Attorney General/Las Vegas
Eighth District Court Clerk