

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN MISSELDINE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58387

**FILED**

JUN 12 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

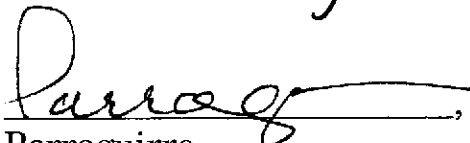
This is an appeal from an order of the district court denying appellant John Misseldine's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Abbi Silver, Judge.

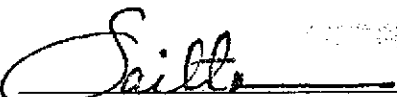
Misseldine filed a petition on March 22, 2011, challenging the sentence and conditions of lifetime supervision in district court case number C197400. On appeal, Misseldine argues that the district court erred in denying his petition on procedural grounds without addressing the merits of his claims. We note, however, that at the time Misseldine filed his petition in the district court, he had expired his sentence of imprisonment and was subject only to lifetime supervision. A person on lifetime supervision may not file a post-conviction petition for a writ of habeas corpus because he is not under a sentence of death or imprisonment as required by NRS 34.724. *See Coleman v. State*, 130 Nev. \_\_\_, \_\_\_, 321 P.3d 863, 867 (2014). Therefore, because Misseldine did not

meet the imprisonment requirement of NRS 34.724, he was not eligible for post-conviction habeas relief. *See id.* For this reason, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

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

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

cc: Hon. Abbi Silver, District Judge  
Turco & Draskovich  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk