

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMADEO J. SANCHEZ,
Appellant,
vs.
NEVADA BOARD OF PAROLE
COMMISSIONERS; AND THE STATE
OF NEVADA,
Respondents.

No. 58737

FILED

DEC 07 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angela*
DEPUTY CLERK

ORDER OF AFFIRMANCE

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 Seventh Judicial District Court, White Pine County; Steve L. Dobrescu, Judge.

In his petition, filed on March 3, 2011, appellant claimed that his due process rights were violated when the parole board allegedly relied upon inaccurate information in denying appellant's parole. Appellant's claims did not challenge the validity of his judgment of conviction, sentence, or computation of time and were therefore not cognizable in a post-conviction petition for a writ of habeas corpus. See NRS 34.720.

Moreover, as a separate and independent ground to deny habeas relief, any process due to appellant was minimal, Swarthout v. Cooke, 562 U.S. ___, ___, 131 S. Ct. 859, 861-62 (2011) (per curiam), and he failed to demonstrate a violation of the due process clause because,

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).

contrary to appellant's claims, he was not denied parole because of alleged gang affiliation. Further, parole is an act of grace of the State, and there is no cause of action permitted when parole has been denied. See NRS 213.10705; Niergarth v. Warden, 105 Nev. 26, 28, 768 P.2d 882, 883 (1989).

For the foregoing reasons, we conclude that the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Steve L. Dobrescu, District Judge
Amadeo J. Sanchez
Attorney General/Carson City
Attorney General/Ely
White Pine County Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.