


IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP BRYON ASHDOWN,
Appellant,
vs.
THE STATE OF NEVADA; AND THE
STATE OF NEVADA BOARD OF
PAROLE,
Respondents.

No. 61366

FILED

MAY 14 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

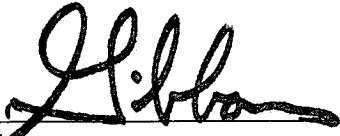
This is a proper person appeal from an order dismissing a petition for a writ of habeas corpus.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.

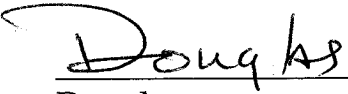
In his petition filed on March 16, 2012, appellant claimed that he was denied parole due to false information in his prison file. Appellant further claimed that the prison grievance process was inadequate. Appellant's claims were not cognizable in a petition for a writ of habeas corpus because appellant was lawfully confined pursuant to a valid judgment of conviction, and appellant's claims relating to parole and the grievance process did not demonstrate unlawful confinement. *See* NRS 34.360. Further, any challenge to the decision to deny parole was without merit because parole is an act of grace of the State and there is no cause of

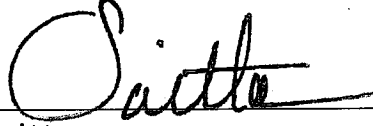
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

action when parole has been denied. See NRS 213.10705; *Niergarth v. State*, 105 Nev. 26, 28, 768 P.2d 882, 883 (1989). Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. James E. Wilson, District Judge
Phillip Bryon Ashdown
Attorney General/Carson City
Carson City District Attorney
Carson City 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.