

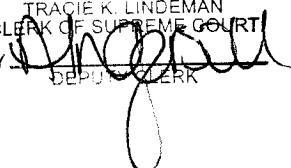
IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD DEEDS,  
Appellant,  
vs.  
JACK PALMER, WARDEN OF  
NORTHERN NEVADA  
CORRECTIONAL CENTER,  
Respondent.

No. 62775

FILED

NOV 13 2013

TRACIE 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.<sup>1</sup> First Judicial District Court, Carson City; James Todd Russell, Judge.


In his petition filed on September 10, 2012, appellant challenged the denial of parole, claiming that (1) a change in regulations affected his parole release date, (2) his five-year consecutive sentence should have been considered for parole when he was paroled from his first life sentence, (3) the parole board violated the equal protection clause, his right against self-incrimination, and his first amendment rights when it considered his refusal to admit to the sexual assault as a reason to classify him as a high risk to reoffend, and (4) his physical disabilities affect his ability to mitigate his risk factors. We conclude that the district court did

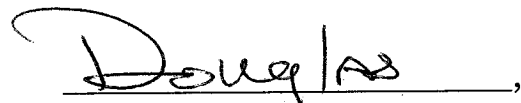
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<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

not err in denying his petition. 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 do not demonstrate unlawful confinement. See NRS 34.360. Furthermore, 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 action when parole has been denied. See NRS 213.10705; *Niergarth v. Warden*, 105 Nev. 26, 28, 768 P.2d 882, 883 (1989). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.  
Gibbons

 J.  
Douglas

 J.  
Saitta

cc: Hon. James Todd Russell, District Judge  
Richard Deeds  
Attorney General/Carson City  
Carson City District Attorney  
Carson City Clerk