

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WALTER JAMES TRIPP,
Appellant,
vs.
NEVADA STATE PAROLE BOARD;
CONNIE BISBEE; THE STATE OF
NEVADA; AND ISIDRO BACA,
Respondents.

No. 68121

FILED

DEC 18 2015

ADIE K. LINDEMAN
CLERK OF THE COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.


In his February 19, 2015, petition, appellant Walter Tripp claimed he was improperly denied parole based on the parole board's bias against sex offenders and the parole board violated his due process rights to equal protection and against double jeopardy. Tripp's claims were not cognizable in a postconviction petition for a writ of habeas corpus because he was lawfully confined pursuant to a valid judgment of conviction and Tripp's claims relating to the parole hearing did not challenge the judgment of conviction or the computation of time served. See NRS 34.720. As a separate and independent ground to deny relief, Tripp's challenge to the denial of parole was without merit because parole is an act of grace of the State and there is no cause of action when parole has


¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

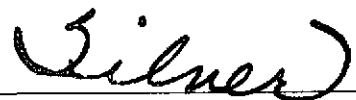
15-901600

been denied. See NRS 213.10705; *Niergarth v. Warden*, 105 Nev. 26, 28, 768 P.2d 882, 883 (1989). Therefore, the district court did not err in denying the petition, and we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

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

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