

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD JOHN FROINES A/K/A RICHARD
JOHN BORGHINO,

No. 36592

Appellant,

FILED

vs.

NOV 27 2000

THE STATE OF NEVADA,

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Respondent.

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's petition to seal criminal records.

On May 11, 2000, appellant, a prisoner in the Northern Nevada Correctional Center, filed a proper person petition to seal criminal records pursuant to NRS 179.255 in the district court. Appellant petitioned the district court to seal criminal records relating to a 1978 arrest for battery with intent to commit sexual assault which was later dismissed upon appellant's guilty plea to misdemeanor battery. The State opposed the petition. Appellant filed a reply. On August 4, 2000, the district court denied appellant's petition. This appeal followed.

Based upon our review of the record on appeal, we conclude that the district court did not abuse its discretion in denying appellant's petition. Appellant has an extensive criminal record and is not the type of person upon whom the judiciary will confer the substantial benefit of sealing his arrest record. See State v. Cavaricci, 108 Nev. 411, 834 P.2d 406 (1992).

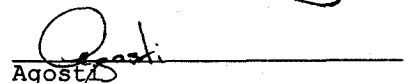
Having reviewed the record on appeal, and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are

unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975), cert. denied, 423 U.S. 1077 (1976). Accordingly, we affirm the order of the district court.

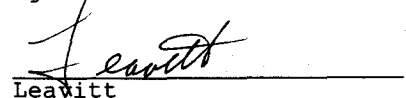
It is so ORDERED.¹



Shearing J.



Agosti J.



Leavitt J.

cc: Hon. Peter I. Breen, District Judge
Attorney General
Washoe County District Attorney
Richard John Froines
Washoe County Clerk

¹We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted. We deny as moot appellant's motion to withdraw the appeal.