

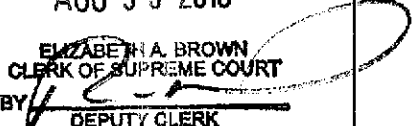
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARK MOOR,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS,
Respondent.

No. 74429

FILED

AUG 30 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Mark Moor appeals from an order of the district court denying a petition for a writ of habeas corpus filed on July 14, 2017.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.

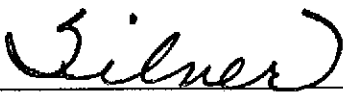
In his petition below, Moor challenged the Nevada Department of Corrections' (NDOC) use of the STATIC-99R assessment as "a currently accepted standard of assessment" required by NRS 213.1214. The district court denied Moor's claim for several reasons, including that it is not cognizable in a petition for a writ of habeas corpus. In his pleadings on appeal, Moor contends his claim is cognizable because he claims he is being held unlawfully.


Moor's claim is not cognizable in a petition for a writ of habeas corpus. Such writs allow an offender who believes he is unlawfully restrained "to inquire into the cause of such imprisonment or restraint." NRS 34.360. Moor's challenge to NDOC's risk-assessment tool does not

¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

implicate the cause of his imprisonment or restraint: a 1994 judgment of conviction.² Because Moor's claim is not cognizable in a petition for a writ of habeas corpus, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

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

²The district court found the judgment of conviction to be the cause of Moor's restraint. The record before this court does not contain a judgment of conviction, but Moor has not disputed he is being held pursuant to that judgment.