

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAVID AUGUST KILLE, SR.,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 79611-COA

FILED

JUN 12 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Yaevy
DEPUTY CLERK


ORDER OF AFFIRMANCE

David August Kille, Sr., appeals from an order of the district court dismissing a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

In his October 30, 2018, petition, Kille challenged the conditions he must meet before he is released on parole and asserted he should not have to provide a specific home address. Kille also challenged his offender tier classification. However, Kille's claims were not within the scope of a petition for a writ of habeas corpus filed pursuant to NRS 34.360 because neither claim "inquire[d] into the cause of [his] imprisonment or restraint." NRS 34.360. The cause of Kille's imprisonment, as revealed by the record before this court, was the judgment of conviction filed on September 19, 2003, for Kille's conviction of sexual assault of a minor under the age of 16 and attempted sexual assault of a minor under the age of 16. Therefore, the district court properly denied relief, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Kephart


_____, J.
Tao


_____, J.
Bulla

cc: Hon. William D. Kephart, District Judge
David August Kille, Sr.
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk