


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WES JOSEPH PERTGEN,
Appellant,
vs.
WILLIAM A. GITTERE, WARDEN,
Respondent.

No. 81536-COA

FILED

MAR 30 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
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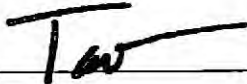
ORDER OF AFFIRMANCE

Wes Joseph Pertgen appeals from an order of the district court dismissing a postconviction petition for a writ of habeas corpus filed on November 21, 2019. Seventh Judicial District Court, White Pine County; Gary Fairman, Judge.

Pertgen claimed his due process rights were violated at a prison disciplinary hearing that resulted in a verbal reprimand and restitution. Pertgen's claims challenging the prison disciplinary proceedings were not cognizable in a petition for a writ of habeas corpus filed in state court because Pertgen did not lose any credits and the claims challenged the conditions of confinement. *See Bowen v. Warden*, 100 Nev. 489, 686 P.2d 250 (1984). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Gary Fairman, District Judge
Wes Joseph Pertgen
Attorney General/Carson City
Attorney General/Ely
White Pine County Clerk