

IN THE SUPREME COURT OF THE STATE OF NEVADA

BART EDWARD BYRD,

No. 38986

Petitioner,

vs.

DORLA M. SALLING, CHAIRMAN OF
THE NEVADA DEPARTMENT OF
PAROLE AND PROBATION,

Respondent,

and

FRANKIE SUE DEL PAPA OF THE
STATE OF NEVADA, OFFICE OF THE
ATTORNEY GENERAL,

Real Parties in Interest.

FILED

JAN 22 2002

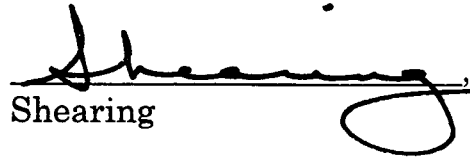
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

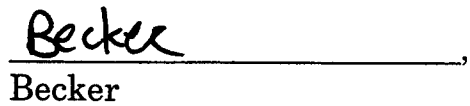
This proper person petition for a writ of habeas corpus challenges the Parole Board's refusal to grant parole. Petitioner argues that the Parole Board's use of newly enacted parole guidelines violates the Ex Post Facto Clause. Petitioner further argues that the plea agreement was breached. We have reviewed the documents on file with this court, and we conclude that petitioner is not entitled to the relief requested. Petitioner should submit his claims to the district court in a petition for a

writ of habeas corpus.¹ He may then appeal to this court from an adverse decision.² Accordingly, we

ORDER the petition DENIED.


Shearing, J.


Rose, J.


Becker, J.

cc: Attorney General/Carson City
Bart Edward Byrd

¹NRS 34.720; NRAP 22.

²NRS 34.575.