

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN RALPH BASHAM,  
Appellant,  
vs.  
RICHARD KIRKLAND, DIRECTOR,  
DEPARTMENT OF MOTOR VEHICLES  
AND PUBLIC SAFETY AND R.  
WARREN LUTZOW, CHIEF, DIVISION  
OF PAROLE AND PROBATION,  
Respondents.

No. 39498

FILED

DEC 12 2002

JANET M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's petition for a writ of mandamus.

On March 28, 2002, appellant filed a proper person petition for a writ of mandamus in the district court. On April 10, 2002, the district court denied the petition. This appeal followed.

In his petition, appellant sought to strike his presentence report from the files of the prison, the Department of Parole and Probation, the Central Repository, the State archives, and any other agency that maintained such documents. Appellant also sought to have erroneous information corrected in the presentence report and his files. 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.<sup>1</sup> Therefore, we affirm the order of the district court.

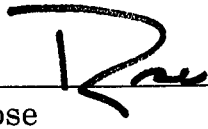
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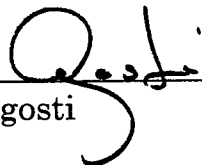
<sup>1</sup>NRS 34.160; NRS 34.170.

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.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

 \_\_\_\_\_, C.J.  
Young

 \_\_\_\_\_, J.  
Rose

 \_\_\_\_\_, J.  
Agosti

cc: Hon. Jerry V. Sullivan, District Judge  
Attorney General/Carson City  
John Ralph Basham  
Pershing County Clerk

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<sup>2</sup>Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

<sup>3</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.