

IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN ALLEN,
Appellant,

vs.

NEVADA DEPARTMENT OF PRISONS
AND WARDEN, LOVELOCK
CORRECTIONAL CENTER, CRAIG
FARWELL,
Respondents.

No. 39612

FILED

JUL 09 2002

GANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. M. Bloom*
DEPUTY CLERK

ORDER OF AFFIRMANCE

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

On April 1, 2002, appellant filed a proper person petition for a writ of habeas corpus, motion for injunctive relief and motion for appointment of counsel in the district court. On April 5, 2002, the district court denied appellant relief. This appeal followed.

In his petition, appellant sought to prevent any future attempts by Colorado to extradite appellant to Colorado.¹ Appellant argued that Colorado had failed to take him into custody despite the fact that he waived extradition. Thus, appellant believed that Colorado lost jurisdiction over him.

Based upon our review of the record on appeal, we conclude that the district court did not err in dismissing appellant's petition. There is no indication in the record on appeal that Colorado is currently seeking

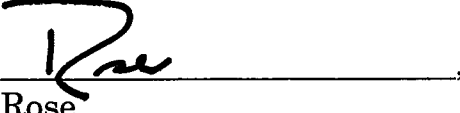
¹Appellant is currently in custody at the Lovelock Correctional Center pursuant to a Nevada judgment of conviction.

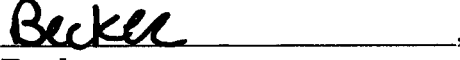
extradition of appellant. Thus, appellant's challenge is not ripe for review.²

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.³ Accordingly, we

ORDER the judgment of the district court AFFIRMED.⁴

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Richard Wagner, District Judge
Attorney General/Carson City
Sean Allen
Pershing County Clerk

²If Colorado does attempt to extradite appellant at expiration of his sentence, appellant may then file a petition for a writ of habeas corpus under the Uniform Criminal Extradition Act. See NRS 179.197.

³See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

⁴We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.