

IN THE SUPREME COURT OF THE STATE OF NEVADA

REGINALD CLARENCE HOWARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 39690

FILED

MAR 05 2003

ORDER OF AFFIRMANCE

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

This is a proper person appeal from a district court order dismissing appellant Reginald Clarence Howard's second amended petition for a writ of habeas corpus.

We have reviewed the record on appeal and for the reasons stated in the attached order of the district court, we conclude that the district court properly dismissed Howard's second amended petition. Therefore, briefing and oral argument are not warranted in this case.<sup>1</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

*Maupin*  
\_\_\_\_\_, J.  
Maupin

*Gibbons*  
\_\_\_\_\_, J.  
Gibbons

<sup>1</sup>See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Donald M. Mosley, District Judge  
Reginald Clarence Howard  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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*Shirley B. Ranzine*

CLERK

DISTRICT COURT  
CLARK COUNTY, NEVADA

Case No. C 74681  
Dept. No. XIV

ORDER

REGINALD C. HOWARD,

Petitioner,

v.

THE STATE OF NEVADA, et al.,

Respondents.

Date of Hearing: May 2, 2002

Time of Hearing: 9:00 a.m.

Before the court is the Petitioner's Second Amended Petition for Writ of Habeas Corpus. This petition was filed on December 9, 2001, presumably in response to the court's Order filed November 15, 2001, dismissing a preceding habeas petition on the basis that the factual allegations of the claim were bald and conclusory, but granting leave to amend. Subsequent to that Order being filed, it appears that the Petitioner filed both the instant amended petition and a notice of appeal. On March 21, 2002, the court entered an Order declining to take any action on the matter during the pendency of the appeal. On April 3, 2002, the Petitioner informed the court of the dismissal of the appeal.

The court has reviewed the allegations in the Second Amended Petition concerning the calculation of the Petitioner's sentence. The court finds that the Second Amended Petition does not cure the deficiencies of the prior petition, and that the allegations before the court are bald and conclusory, and further that they include mere estimates of dates and credits alleged to have been earned by the Petitioner during his incarceration. The Petitioner fails to set forth the basis for the estimated numbers he forwards, and fails to provide any backup documentation, not to mention any

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analysis whatsoever of the Petitioner's parole history and its effect on the earning of credits. Because the petition lacks the specificity required in habeas corpus, the court finds that the claim is deficiently pled. Therefore, based on good cause appearing,

IT IS ORDERED THAT the Second Amended Petition for Writ of Habeas Corpus heretofore filed on December 9, 2001, is hereby DISMISSED.

DATED this 7 day of May, 2002.

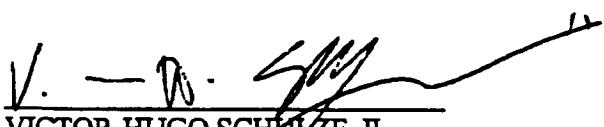
**DONALD M. MOSELEY**  
DISTRICT COURT JUDGE

SUBMITTED BY:

Dated this 6 day of May, 2002.

FRANKIE SUE DEL PAPA  
Attorney General

By:

  
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Deputy Attorney General  
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