

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAPHAEL R. MORRIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39880

FILED

MAR 05 2003

ORDER OF AFFIRMANCE

JANETTE M. SLOW
CLERK OF SUPREME COURT
BY *J. R. Gibson*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying appellant's post-conviction 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 denied appellant's petition. Therefore, briefing and oral argument are not warranted in this case.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Rose J.
Rose

Maupin J.
Maupin

Gibbons J.
Gibbons

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

cc: Hon. Donald M. Mosley, District Judge
Raphael R. Morris
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

ORIGINAL

FILED
Aug 14 8 27 PM '02
Sally L. Longprince
CLERK

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DISTRICT COURT
CLARK COUNTY, NEVADA

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RAPHAEL MORRIS,

) Case No. C 169342

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Petitioner,

) Dept. No. XIV

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v.

ORDER

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GEORGE GRIGAS, Warden, et al.,

) Date of Hearing: 5/7/02

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Respondents.

) Time of Hearing: 9:00 a.m.

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MORRIS' proper person Petition for Writ of Habeas Corpus (Post-Conviction) came on for hearing on the 7nd day of May, 2002. MORRIS, in proper person, was not present, being an inmate in the custody of the Nevada Department of Prisons, at High Desert State Prison, Indian Springs, Nevada. The Respondent was represented by legal counsel, FRANKIE SUE DEL PAPA, by Deputy Attorney General, Victor Hugo-Schulze, II. Upon reviewing the Petition and pleadings and papers on file herein, and having heard argument of counsel, the Court finds and rules as follows:

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The Judgment of Conviction entered in this matter clearly states the time to be served. The Petitioner was sentenced in this matter, Case Number C169342, to serve a maximum term of thirty-two (32) months with a minimum parole eligibility of twelve (12) months. Petitioner was also sentenced by this Court to serve a maximum term of thirty-two (32) months with a minimum parole eligibility of twelve (12) months in Case Number C 172075, which sentence was to run consecutive to the sentence imposed in this matter. The Court further finds that there is no statutory or legal requirement to run the sentences in these two cases concurrently. Further, the Guilty Plea Agreement did not contemplate running the sentences concurrently. Now therefore,

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IT IS HEREBY ORDERED that MORRIS' Petition for Writ of Habeas Corpus (Post-Conviction) is DENIED.

DATED this 14th day of August, 2002.


DISTRICT COURT JUDGE

SUBMITTED BY:
FRANKIE SUE DEL PAPA
Attorney General

By: 
VICTOR-HUGO SCHULZE II
Deputy Attorney General
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