

IN THE SUPREME COURT OF THE STATE OF NEVADA

NOLAN E. KLEIN,
Appellant,
vs.
JACKIE CRAWFORD,
Respondent.

No. 41117

FILED

JAN 27 2004

ORDER OF AFFIRMANCE

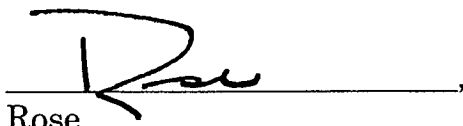
JANETTE M. BLOOM
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BY *J. Richard*
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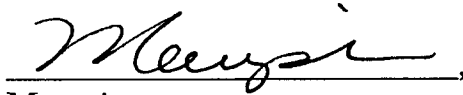
This is a proper person appeal from a district court order denying appellant Nolan Klein's post-conviction petition for a writ of habeas corpus.

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 Klein's petition. Therefore, briefing and oral argument are not warranted in this case.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


Shearing, C.J.


Rose, J.


Maupin, J.

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

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

cc: Hon. William A. Maddox, District Judge
Nolan E. Klein
Attorney General Brian Sandoval/Carson City
Carson City Clerk

REC'D & FILED

1 Case No. 02-01843H

2 Dept. No. 2

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ALAN SLOPER
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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN AND FOR CARSON CITY

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NOLAN E. KLEIN,

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Petitioner,

ORDER

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vs.

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JACKIE CRAWFORD, et al.,

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Respondent.

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The matter comes before the Court pursuant to a Petition for a Writ of Habeas Corpus (Post Conviction) filed by Nolan E. Klein on December 9, 2002. On December 13, 2002, this Court ordered that the Respondent file a Return to the Petition for Writ of Habeas Corpus (Post Conviction). On January 27, 2003, the Respondent filed a Motion to Dismiss and on January 31, 2003, the Respondent filed a Return. On February 4, 2003, the Petitioner filed an Opposition to the Motion to Dismiss. Finally, after being ordered by this Court to respond to the substance of the complaints made by the Petitioner, the Respondent filed a Response to Court's Order on February 24, 2003 with an Affidavit attached by Records Manager at the Nevada Department of Corrections.

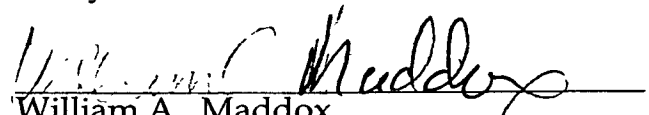
In his petition, Nolan E. Klein asserted that the last time he was before the parole board was August 19, 1998 and pursuant to NRS 213.142, he was entitled to be taken back before the parole board at least once every three years.

1 A Petition for Writ of Habeas Corpus (Post Conviction) can be filed to
2 challenge the computation of time that a prisoner has served pursuant to a
3 judgment of conviction. NRS 34.720

4 On August 19, 1998, Klein appeared before the parole board. At that time
5 he was serving a 7 1/2 year sentence for the use of a deadly weapon in the
6 commission of a crime, Robbery. He was denied parole to the end of that
7 sentence which was January 3, 2000. On that day, he began serving a life
8 sentence for a conviction for sexual assault. He is not entitled to parole for that
9 charge for a minimum of five years pursuant to the statute applicable at the time
10 which was NRS 200.366. Therefore, he would not be eligible for parole until at
11 least January 3, 2005. He will have a hearing in September, 2004. Therefore,
12 good cause appearing,

13 IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (Post
14 Conviction) filed by Klein is DENIED.

15 DATED this 27th day of February, 2003.

16 
17 William A. Maddox
18 District Judge

19 cc: Robert E. Wieland, Esq.
20 Petitioner
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