

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED S. DENNIE, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 41663

FILED

AUG 20 2003

ORDER OF AFFIRMANCE

JANETTE M BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

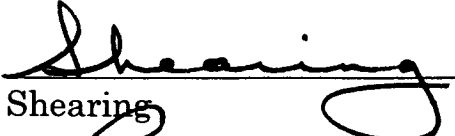
This is a proper person appeal from an order of the district court denying appellant's motion for reclassification.


On May 19, 2003, appellant filed a motion for reclassification in the district court. On July 10, 2003, the district court entered a written order summarily denying appellant's motion. This appeal followed.


In his motion, appellant claimed that it was cruel and unusual punishment to be incarcerated in a closed custody module in the Clark County Detention Center because his crime involved a non-violent offense. Appellant claimed that he had suffered emotional distress because of his incarceration with violent criminals. Appellant claimed that when he entered his guilty plea that he understood he would be eligible for a work program or house arrest. Based upon our review of the record on appeal, we conclude that the district court did not abuse its discretion in denying appellant's motion.

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.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. John S. McGroarty, District Judge
Alfred S. Dennie Jr.
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

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