

IN THE SUPREME COURT OF THE STATE OF NEVADA

STANLEY LLOYD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42029

FILED

APR 29 2004

ORDER OF AFFIRMANCE

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

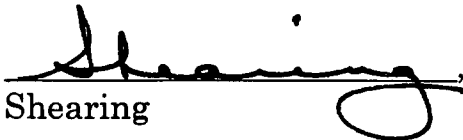
This is a proper person appeal from an order of the district court denying appellant Stanley Lloyd's post-conviction petition for a writ of habeas corpus. We have reviewed the record on appeal and conclude for the reasons stated in the attached order that the district court did not err in declining to review Lloyd's petition. Therefore, briefing and oral argument are not warranted in this case.¹

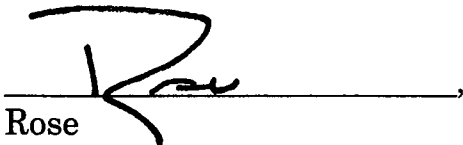
Further, we note that NRS 34.738(2)(b) requires the district court to transfer a petition that is filed in an improper district court to the appropriate district court. Therefore, we direct the clerk of the Eighth Judicial District Court to transfer Lloyd's petition to the clerk of the First

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

Judicial District Court if the clerk has not already done so. Accordingly,
we

ORDER the judgment of the district court AFFIRMED.


Shearing, C.J.


Rose, J.


Maupin, J.

cc: Hon. Kathy A. Hardcastle, Chief District Judge
Stanley Lloyd
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
Eighth Judicial District Court, Department 11

FILED

JUL 23 10 43 AM '03

Shirley B. Rungius
CLERK

1 **ORDR**
2 **BRIAN SANDOVAL**
3 **Attorney General**
4 **By: BRIAN T. KUNZI**
5 **Senior Deputy Attorney General**
6 **Criminal Justice Division**
7 **Nevada Bar Number 2173**
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11 **(702) 486-3768 - fax**
12 **Attorneys for Respondents**

8
9 **EIGHTH JUDICIAL DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 * * *

12 **STANLEY LLOYD,**

13 **Petitioner,**

CASE NO.: C31414
DEPT NO.: XI

14 **v.**

15 **DON HELLING, et al.,**

16 **Respondent.**

17 **ORDER**

18 This matter having come before this court the 19th day of June, 2003, on Petitioner
19 STANLEY LLOYD'S Petition for Writ of Habeas Corpus and having considered all papers on
20 file herewith and for good cause appearing the court makes the following findings of fact
21 conclusions of law as follows:

22 **FINDINGS OF FACT**

- 23 1. Petitioner Lloyd currently is being incarcerated in the Northern Nevada
24 Correctional Center located in Carson City, Nevada.
- 25 2. The petition was filed as part of the original criminal prosecution before this court
and was not filed as a separate action.
- 26 3. The petition alleges the time he is to serve has been improperly computed and
does not challenge the legality of the conviction.

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

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COUNTY CLERK

CONCLUSIONS OF LAW

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1. This action has been improperly filed with this court as part of the original criminal prosecution.

2. An independent action must be initiated by the filing of a petition with the First Judicial District Court in and for Carson City.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition for a writ of habeas corpus is hereby DENIED.

SO ORDERED this 22nd day of June, 2003.


DISTRICT JUDGE

Respectfully submitted by:

BRIAN SANDOVAL
Attorney General

By: 
BRIAN T. KUNZI
Senior Deputy Attorney General

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Las Vegas, NV 89101