

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEWEL H. COLLINS,  
Appellant,  
vs.  
WARDEN, SOUTHERN DESERT  
CORRECTIONAL CENTER, ROBERT  
HILDRETH,  
Respondent.

No. 42264

**FILED**

SEP 15 2004

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 dismissing a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

On July 30, 2003, appellant filed a proper person post-conviction petition for a writ of habeas corpus challenging a prison disciplinary hearing that resulted in ninety days disciplinary segregation and the forfeiture of confiscated commissary items. The State filed a motion to dismiss the petition. On November 5, 2003, the district court dismissed the petition. This appeal followed.

In his petition, appellant claimed that his due process rights were violated at the prison disciplinary hearing. Based upon our review of the record on appeal, we conclude that the district court did not err in dismissing the petition. Because appellant challenged only the conditions of confinement, appellant's claims were not cognizable in a petition for a writ of habeas corpus.<sup>1</sup> Therefore, we affirm the order of the district court.

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<sup>1</sup>See Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984) ("We have repeatedly held that a petition for writ of habeas corpus may  
*continued on next page . . .*

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.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Becker, J.  
Becker

Agosti, J.  
Agosti

Gibbons, J.  
Gibbons

cc: Hon. Jackie Glass, District Judge  
Jewel H. Collins  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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*... continued*

challenge the validity of current confinement, but not the conditions thereof."); see also Sandin v. Conner, 515 U.S. 472 (1995).

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