

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLIFFORD EPPERSON, SR.,  
Appellant,  
vs.  
VALINDEER FROSHAUER,  
Respondent.

No. 42732

**FILED**

APR 22 2004

ORDER OF AFFIRMANCE

JANETTE M. BLOW  
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 proper person action filed below in District Court Case No. 03-01206H. The district court described the action and documents appellant submitted below as "incomprehensible writings that appear to be complaining about non-specific eighth amendment violations and other non-specific poor treatment imposed upon [appellant] relating to his confinement."

The district court dismissed the action below because appellant failed to comply with the court's instructions directing appellant: (1) "to file a short (no more than two pages) handwritten or typed statement which clearly, concisely, and specifically stated exactly what his complaint is and exactly what relief he is seeking"; and (2) "to state with particularity the specific instances of conduct that [appellant] is basing his complaint upon." Having reviewed the record on appeal, we conclude that the district court did not abuse its discretion in dismissing appellant's action. We agree with the district court that it is not the "court's responsibility to try and guess what appellant's complaints are about." Moreover, to the extent that appellant's filings below can be construed as a petition for a writ of habeas corpus challenging the computation of his sentence or the application of earned good time credits,

we note that appellant has now expired his sentence and has been discharged from custody. Accordingly, any such claims presented in the context of a habeas petition are now moot.

For the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.<sup>1</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Becker, J.  
Becker

Agosti, J.  
Agosti

Gibbons, J.  
Gibbons

cc: Hon. William A. Maddox, District Judge  
Clifford Epperson Sr.  
Attorney General Brian Sandoval/Carson City  
Carson City Clerk

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