

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD LEE BROWN,
Appellant,
vs.
NEVADA BOARD OF PAROLE
COMMISSIONERS; NEVADA
DEPARTMENT OF CORRECTIONS;
AND WARDEN, LOVELOCK
CORRECTIONAL CENTER, JACK
PALMER,
Respondents.

No. 52495

FILED

DEC 02 2008
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court dismissing a petition for a writ of habeas corpus, or alternatively, a writ of mandamus. Sixth Judicial District Court, Pershing County; John M. Iroz, Judge.

On March 14, 2008, appellant filed a proper person petition for a writ of habeas corpus, or alternatively, a writ of mandamus in the district court. The State opposed the petition. On September 4, 2008, the district court dismissed the petition. This appeal followed.

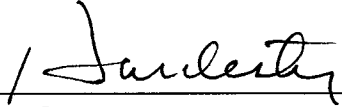
In his petition, appellant claimed that he was denied a timely parole hearing. Appellant appeared to seek an immediate parole hearing, immediate release and damages.

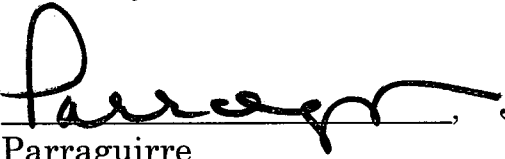
In the proceedings below, the State filed a notice to the court indicating that appellant had received a parole hearing on June 26, 2008. Consequently, the district court denied the petition as moot. As the only remedy available to appellant with the filing of his petition was a parole

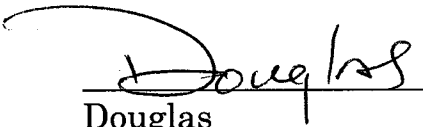
hearing, we conclude that the district court did not err in concluding that the petition was moot.

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.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. John M. Iroz, District Judge
Donald Lee Brown
Attorney General Catherine Cortez Masto/Carson City
Pershing County Clerk

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