

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES MANLEY,
Appellant,
vs.
E.K. MCDANIEL,
Respondent.

No. 57895

FILED

JUL 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Anderson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.

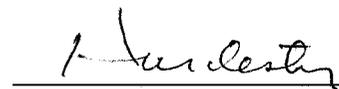
Appellant's claims raised in his October 8, 2010, petition challenged the conditions of confinement, and thus, were not cognizable in a petition for a writ of habeas corpus filed in state court. Bowen v. Warden, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984); Sandin v. Conner, 515 U.S. 472, 484-86 (1995). Further, to the extent appellant claimed that there was a conflict of interest because counsel representing the respondent is also prosecuting appellant in a criminal case related to the conduct at issue in this case, appellant failed to demonstrate that a

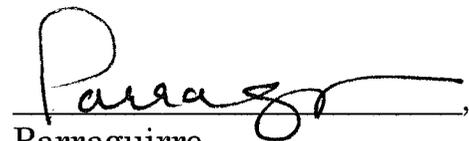
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

conflict existed. Therefore, the district court did not err in dismissing the petition, and we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Dan L. Papez, District Judge
Charles Manley
Attorney General/Ely
White Pine County Clerk