

IN THE SUPREME COURT OF THE STATE OF NEVADA

RODNEY "R.L." HALBOWER,
Appellant,
vs.
E.K. MCDANIEL, WARDEN,
Respondent.

No. 64378

FILED

JUL 22 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
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; Steve L. Dobrescu, Judge.

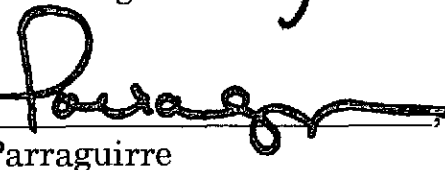
In his petition filed on June 9, 2011, and his amended petition, appellant contended that he should be serving his concurrent Nevada and Oregon sentences in Oregon. We conclude that the district court did not err in denying his petition because appellant's claim was not cognizable in a post-conviction petition for a writ of habeas corpus. Appellant was lawfully confined pursuant to a valid judgment of conviction and his claim relating to the location of his confinement did not challenge the judgment of conviction or the computation of time served. *See* NRS 34.720. To the extent that appellant characterized his claim as involving a breach of his

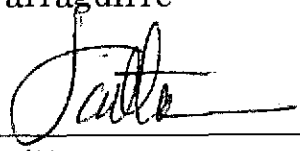
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

plea agreement, this assertion has no support in the record. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Steve L. Dobrescu, District Judge
Rodney Halbower
Attorney General/Carson City
White Pine County District Attorney
Attorney General/Ely
White Pine County Clerk

²In light of this disposition, we deny as moot appellant's motions for appointment of counsel and to continue litigation. We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.