

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONEALE FEAZELL,
Appellant,
vs.
RENEE BAKER, WARDEN,
Respondent.

No. 65006

FILED

JUN 11 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.

On October 31, 2013, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court challenging a prison disciplinary hearing, which resulted in a finding of guilt of MJ 2 (assault), MJ 3 (battery), and MJ 41 (blocking/threatening staff), and the forfeiture of 180 days of credit. Appellant claimed that he was deprived of due process because he was found guilty without any evidence to support the charges and the hearing officer failed to establish the standard of proof used to find him guilty.

Appellant failed to demonstrate a violation of due process because he received: (1) advance written notice of the charges; (2) written

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 Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

statement of the fact finders of the evidence relied upon and the reasons for disciplinary action; and (3) a qualified right to call witnesses and present evidence. *Wolff v. McDonnell*, 418 U.S. 539, 563-69 (1974). Specifically, appellant was allowed to call witnesses and was given access to an inmate law clerk in preparation for his hearing. Further, some evidence supports the decision by the prison disciplinary hearing officer, *Superintendent v. Hill*, 472 U.S. 445, 455 (1985), and therefore, appellant failed to demonstrate that he was entitled to relief. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

Saitta, J.
Saitta

cc: Hon. Steve L. Dobrescu, District Judge
Doneale Feazell
Attorney General/Ely
White Pine County Clerk