


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN LAWRENCE MEIRING, A/K/A
JONATHAN LAWRENCE MEIRING,
Appellant,
vs.
ISIDRO BACA, WARDEN; DIVISION
OF PAROLE & PROBATION; AND
BOARD OF PAROLE
COMMISSIONERS,
Respondents.

No. 76896-COA

FILED

JUL 30 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

John Lawrence Meiring appeals from an order of the district court denying a “petition for writ of habeas corpus pursuant to NRS 34.360” filed on March 30, 2018.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.

On appeal, Meiring claims the district court erred by construing his petition as a postconviction petition for a writ of habeas corpus. Meiring claims he specifically filed his petition as a true habeas petition pursuant to NRS 34.360, and not as a postconviction petition. Further, he claims that the district court’s failure to treat his petition as a true habeas petition caused the district court to not reach the merits of his claims. Meiring’s claim is belied by the record and lacks merit. The district court correctly treated Meiring’s petition as a true habeas petition and reached the merits of Meiring’s claims.

¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

Meiring also claims the district court erred by denying his due process and equal protection claims relating to the revocation of his parole. Specifically, Meiring claims that since his arrest report states he was arrested for a probation violation, all subsequent proceedings violated his due process rights because he was not on probation, he was on parole.


Meiring failed to demonstrate the district court erred by denying his petition because he failed to demonstrate his due process rights were violated. "Parole and probation revocations are not criminal prosecutions; the full panoply of constitutional protections afforded a criminal defendant does not apply." *Anaya v. State*, 96 Nev. 119, 122, 606 P.2d 156, 157 (1980). Meiring received the required due process protections: he received a written notice of the claimed violations, a disclosure of the evidence used against him, an opportunity to be heard in person and to present witnesses and testimony, notice that he had the right to confront and cross-examine adverse witnesses, a hearing in front of a neutral and detached hearing body, and a written statement by the factfinders as to the evidence relied on and the reasons for revoking parole. *See* NRS 213.1513; *Morrissey v. Brewer*, 408 U.S. 471, 488-89 (1972).

The initial arrest report stated Meiring was being arrested for driving under the influence, violating the speed limit, and a probation violation. After being arraigned and released on the other charges, Meiring received notice he was being held pursuant to a parole violation and received proper notice of his parole violation. The fact that the initial arrest report mistakenly stated he was being arrested for a probation violation did not invalidate the later proceedings where he was correctly notified of the parole violation in a timely fashion. Further, Meiring failed to demonstrate his equal protection rights were violated because he failed to demonstrate

he was treated differently than other persons similarly situated to him. See U.S. Const. amend. XIV, § 1; *Gaines v. State*, 116 Nev. 359, 371, 998 P.2d 166, 173 (2000). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. James E. Wilson, District Judge
John Lawrence Meiring
Attorney General/Carson City
Carson City Clerk