

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JASON JONES,
Appellant,
vs.
WILLIAM HUTCHINGS, WARDEN OF
SDCC; AND THE STATE OF NEVADA,
Respondents.

No. 83710-COA

FILED

APR 13 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jason Jones appeals from an order of the district court denying a “COVID-19 petition for a writ of habeas corpus (new litigation)” filed on May 12, 2021. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

Jones argues the district court erred by finding his claims challenging the conditions of confinement in prison during the COVID-19 pandemic were outside the scope of a postconviction petition for a writ of habeas corpus. Jones argues that he specifically stated in his petition that he was not filing a postconviction petition for a writ of habeas corpus or challenging his judgment of conviction.

Petitions for writs of habeas corpus are limited to claims inquiring about the cause for the confinement (in this case a judgment of conviction), *see* NRS 34.360, challenging the judgment of conviction, *see* NRS 34.724(1), or challenging the computation of time served, *see id.* Jones’ claims regarding the conditions of confinement were not within the scope of a petition for a writ of habeas corpus filed pursuant to NRS 34.360 and specifically were not within the scope of a postconviction petition for a writ of habeas corpus. *See Bowen v. Warden*, 100 Nev. 489, 490, 686 P.2d 250,

250 (1984). Therefore, we conclude the district court did not err by finding Jones' claims were outside the scope and thus concluding Jones was not entitled to relief.

Jones also argues the district court erred by not expeditiously examining his petition and by vacating a hearing regarding his petition. Jones failed to demonstrate that the review of the petition was not expeditious, nor did he demonstrate his substantial rights were affected by any delay in deciding the petition. See NRS 178.598 ("Any error, defect, irregularity or variance that does not affect substantial rights must be disregarded."). Further, Jones also failed to demonstrate he was entitled to a hearing on his petition. See *Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984) (to warrant an evidentiary hearing, a petitioner must raise claims supported by specific factual allegations that are not belied by the record and, if true, would entitle him to relief). Accordingly, we conclude Jones is not entitled to relief, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Eric Johnson, District Judge
Jason Jones
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk