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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WALTER TRIPP,  
  
v.  
NEVADA STATE PAROLE BOARD, *et al.*,  
  
Respondents.


Case No. 3:16-cv-00006-MMD-VPC  
  
ORDER

This *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 7) is pending before the Court for consideration on the merits. Respondents have answered the petition (ECF No. 9), and petitioner has replied (ECF No. 13).

Petitioner asserts several grounds for relief, including equal protection, due process, double jeopardy, and *ex post facto*. Respondents have failed to respond to petitioner's *ex post facto* claim, contained in Ground Four of the petition. The state courts also failed to address this claim, despite it being raised in the petitioner's state court habeas petition. Accordingly, this Court must consider petitioner's *ex post facto* claim *de novo*, but it lacks sufficient information to do so.

It is therefore ordered that respondents must file a supplemental answer to the petition, addressing the *ex post facto* claim, within thirty (30) days of the date of this order. In answering this claim, respondents must provide, if they are available, the parole guidelines as they existed in 1991. Petitioner will then have thirty (30) days after service of the supplemental answer within which to file a supplemental reply, if any.

DATED THIS 26<sup>th</sup> day of March 2018.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE