


IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM CATO SELLS, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47013

**FILED**

SEP 06 2006

JANE TTE M. BLOOM  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Because appellant's petition did not challenge the validity of his judgment of conviction or sentence, but rather challenged the computation of time served,<sup>1</sup> the petition was required to be filed in the district court in the county in which he is incarcerated—the Seventh Judicial District Court.<sup>2</sup> Appellant filed his petition in the district court for the county in which he was convicted—the Eighth Judicial District Court. Thus, appellant filed his petition in the wrong district court, and for this reason, we conclude that the district court properly denied the petition without prejudice for appellant to file his petition in the proper county.


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<sup>1</sup>Appellant claimed that "indefinite high-risk potential" segregation has effectively and illegally worked to increase his sentence from life with the possibility of parole to life without the possibility of parole.

<sup>2</sup>See NRS 34.738(1).

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.<sup>3</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Sally L. Loehrer, District Judge  
William Cato Sells Jr.  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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<sup>3</sup>See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).