

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEROD HOLTON,  
Petitioner,

vs.

WARDEN, SOUTHERN DESERT  
CORRECTIONAL CENTER, BRIAN  
WILLIAMS AND THE STATE OF  
NEVADA,  
Respondents.

No. 51183

**FILED**

MAR 27 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY J. Williams  
DEPUTY CLERK

ORDER DENYING PETITION AND MOTION


This is a proper person petition for a writ of mandamus, or alternatively, a writ of prohibition and motion for release pending review. Petitioner claims that the Nevada Department of Corrections has not correctly calculated his statutory credits. We have considered the documents submitted in this matter, and we conclude that this court's intervention is not warranted at this time.<sup>1</sup> A challenge to the computation of time served, which includes the earning of statutory

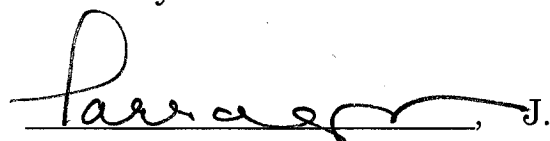
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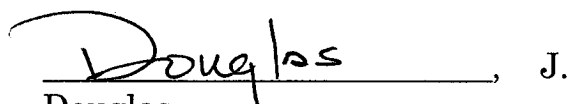
<sup>1</sup>See NRS 34.170.

credits, must be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.<sup>2</sup> Accordingly, we

ORDER the petition and motion DENIED.<sup>3</sup>

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Valerie Adair, District Judge  
Jerod Holton  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

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<sup>2</sup>See NRS 34.724(2)(c); NRS 34.738(1).

<sup>3</sup>We deny petitioner's motion for leave to proceed in forma pauperis as moot.