IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM LEE ENGLAND,
Appellant,
vs.
HOWARD SKOLNIK,
Respondent.

No. 56439

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a post-conviction petition for a writ of habeas corpus, or alternatively, a writ of mandamus.[1] Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

In his petition filed on January 29, 2010, appellant challenged the Nevada Department of Corrections' calculation of his sentence structure. Appellant claimed that an alleged error in calculating his sentence structure affected the date he is eligible for parole. Appellant further claimed that a typographical error relating to his case number affected the date he is eligible for parole. Appellant claimed that this violated a number of constitutional rights.

[1]This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

Based upon our review of the record on appeal, we conclude that the district court did not err in denying the petition.[2] Appellant failed to demonstrate that the Department incorrectly calculated the sentence structure imposed in the November 17, 1987 judgment of conviction. Parole is an act of grace, and a prisoner has no right to serve less than the lawfully imposed sentence. See NRS 213.10705; NRS 213.1099(1); Weakland v. Bd. of Parole Comm'rs, 100 Nev. 218, 678 P.2d 1158 (1984). Thus, appellant had no right to be granted parole, and the documents submitted indicate that appellant had a parole hearing on the controlling term in 2005 and was denied.[3] Thus, appellant failed to demonstrate a violation of any protected constitutional right. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

_____, J.
Hardesty

_____, J.
Douglas

_____, J.
Pickering

[2]Because a post-conviction petition for a writ of habeas corpus is the only remedy to challenge the computation of time served, the district court did not err in denying that portion of the petition seeking a writ of mandamus. NRS 34.724(2)(c); NRS 34.170.

[3]Appellant indicated in his petition that the rehearing was scheduled for 3 years.

cc: Hon. Kathy A. Hardcastle, District Judge
William Lee England
Attorney General/Las Vegas
Eighth District Court Clerk