

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL HAYS,
Appellant,
vs.
THE STATE OF NEVADA; AND
NEVADA DEPARTMENT OF
CORRECTIONS,
Respondents.

No. 56690

FILED

FEB 09 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

In his petition filed on July 6, 2010, appellant claimed that he should receive additional credits pursuant to NRS 209.449. We conclude that appellant failed to demonstrate that he was entitled to additional credits. NRS 209.446; NRS 209.448; NRS 209.449. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry
Gibbons, J.
Gibbons
Pickering, J.
Pickering

¹Appellant's petition was entitled "petition for writ of mandamus." However, he challenged the computation of time served, and such claims may only be raised in post-conviction petitions for a writ of habeas corpus. NRS 34.724(1). The district court therefore properly construed his petition as a post-conviction petition for a writ of habeas corpus.

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 Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Jackie Glass, District Judge
Michael Hays
Attorney General/Las Vegas
Eighth District Court Clerk