

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN M. BRIDGES, JR.,
Appellant,
vs.
BRIAN WILLIAMS; STATE OF
NEVADA; AND HOWARD SKOLNICK,
DIRECTOR,
Respondents.

No. 57283

FILED

SEP 14 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Anderson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

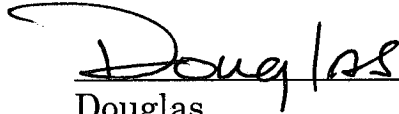
This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

Having reviewed the record on appeal, we conclude that substantial evidence supports the decision of the district court to deny relief and that the district court did not err as a matter of law. Riley v. State, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994). We therefore affirm

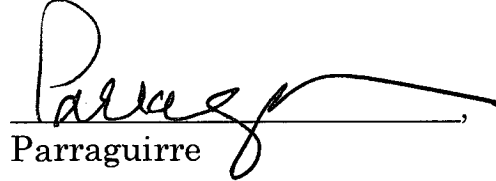
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

the denial of the petition for the reasons stated in the attached district court order. Accordingly, we

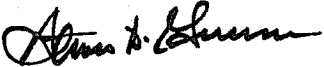
ORDER the judgment of the district court AFFIRMED.


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Kathy A. Hardcastle, District Judge
Steven M. Bridges, Jr.
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Eighth District Court Clerk


CLERK OF THE COURT

1 **FFCO**
2 **CATHERINE CORTEZ MASTO**
3 **Attorney General**
4 **THOM GOVER**
5 **Senior Deputy Attorney General**
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13 **Attorneys for Respondents**

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 **STEVEN M. BRIDGES,**
11 **Petitioner,**
12 **v.**
13 **BRIAN E. WILLIAMS, et al.,**
14 **Respondents.**

Case No.: A-10-608440-W
Dept. No.: IV

15
16 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

17 The above-entitled Court, conducted a hearing in chambers on the proper person
18 Petition for a Writ of Habeas Corpus filed by STEVEN M. BRIDGES ("Bridges") and hereby
19 issues this Order finally disposing of said petition pursuant to NRS 34.830. Bridges, an
20 inmate in the custody of the Nevada Department of Corrections ("NDOC") housed at the
21 Southern Desert Correctional Center, was not required to appear in support of his petition.
22 Upon reviewing the Petition, the Respondents' Answer, Petitioner's Reply, and the pleadings
23 and papers on file herein, the Court makes the follow findings of fact and conclusions of law:

24 **FINDINGS OF FACT**

25 1. Bridges is currently serving a 60 to 150 month term of incarceration with the
26 Nevada Department of Corrections for a conviction in District Court, Clark County, Case
27 Number C228430.

1 2. On January 21, 2010, Bridges filed a petition for writ of habeas corpus claiming
2 he was not being properly credited for the completion of certain courses or programs while
3 incarcerated.

4 3. As evidenced by the Nevada Department of Corrections Form 3077 –
5 Nomination for Meritorious Service Credits and Credit History by Sentence report, Bridges
6 has completed and received credit for the following courses:

- 7 A. Clark County Adult High School Diploma (April 16, 2009) 90 credits;
- 8 B. NDOC Correctional Programs – Fitness and Wellness (June 9, 2009) 30
9 credits;
- 10 C. NDOC Correctional Programs – Victim Empathy (August 20, 2009) 15
11 credits;
- 12 D. NDOC Correctional Programs – Addiction Prevention Education
13 (December 4, 2008) 60 credits;
- 14 E. CCSD Certificate of Completion – 82901 Computer Apps I (February 3,
15 3009) 0 credits; and
- 16 F. CCSD Certificates of Merit – Social Living and Psychology I – 0 credits.

17 4. Bridges argues that for these courses he has only received discretionary
18 meritorious credits pursuant to NRS 209.449(2). Believing he has only received discretionary
19 credit, he applied to this Court to order application of mandatory credit pursuant to NRS
20 209.449(1) in the total amount of 300 credits.

21 5. Pursuant to his discretion to award credit for “exceptional meritorious service,”
22 the Director of the Nevada Department of Corrections has determined that inmates who
23 successfully complete the above programs will be awarded credits in the above amounts
24 pursuant to NRS 209.4465(2)(b), 209.4465(5), and 209.448.

25 **CONCLUSIONS OF LAW**

- 26 1. Bridges' reliance on NRS 209.449 is misplaced.
- 27 2. The NDOC Correctional Programs are governed by NRS 209.4465(5), with
28 credit levels being set by the Director pursuant to administrative regulation.

1 3. NRS 209.4465(5) states: "The Director may allow not more than 90 days of
2 credit each year for an offender who engages in exceptional meritorious service."

3 4. The director's authority should be broadly interpreted to permit NDOC to offer
4 credit for rehabilitative correctional programming.

5 5. There exists no authority in Nevada law or NDOC regulations to allow the NDOC
6 to grant double credit for programs completed and credited pursuant to NRS 209.4465(5).

7 6. Credit awarded pursuant to NRS 209.4465(5) is subject to the discretion of the
8 director. Because Nevada's credit statutes vest discretion in prison officials, "they create no
9 due process liberty interest." *Clyde v. Hargrave*, 770 F.Supp. 553, 557 (D. Nev. 1991).

10 7. Credit for educational achievement is awarded pursuant to NRS 209.4465(2)(b)
11 and Bridges has received all credits entitled for the receipt of his Clark County Adult High
12 School Diploma.

13 8. Credit for the successful completion of a program of treatment for the abuse of
14 alcohol or drugs is awarded pursuant to NRS 209.448 and Bridges has received all credits
15 entitled for the successful completion of Addiction Prevention Education.

16 9. As currently alleged, Bridges is not entitled to any credit for his completion of
17 Computer Apps I and Social Living and Psychology I.

18 10. Bridges has received all the credit to which he is entitled.

19 **IT IS HEREBY ORDERED**, based upon the above findings of fact and conclusions of
20 law, that the claims raised in Bridges' Petition are without merit and said petition is therefore
21 **DENIED**.

22 DATED this _____ day of November, 2010.

23
24 
KATHY HARDCASTLE
District Court Judge

25 Respectfully submitted by:

26 CATHERINE CORTEZ MASTO
Attorney General

27 By: 
28 THOM GOVER
Senior Deputy Attorney General

FFCL/BRIDGES/A-10-608440-W

FILED

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Alvin J. Blum
CLERK OF COURT

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DISTRICT COURT
CLARK COUNTY, NEVADA

STEVEN BRIDGES,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 10A608440
Dept No: IV

NOTICE OF ENTRY OF
DECISION AND ORDER

PLEASE TAKE NOTICE that on November 18, 2010, the court entered a decision or order in this matter,
a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you
must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is
mailed to you. This notice was mailed on December 3, 2010.

STEVEN D. GRIERSON, CLERK OF THE COURT

By: *Heather Ungermann*
Heather Ungermann, Deputy Clerk

CERTIFICATE OF MAILING

I hereby certify that on this 3 day of December 2010, I placed a copy of this Notice of Entry of Decision
and Order in:

The bin(s) located in the Office of the District Court Clerk of:
Clark County District Attorney's Office
Attorney General's Office -- Appellate Division

- The United States mail addressed as follows:
Steven Bridges # 77853
P.O. Box 208
Indian Springs, NV 89070

Heather Ungermann
Heather Ungermann, Deputy Clerk