

IN THE SUPREME COURT OF THE STATE OF NEVADA

BENJAMIN ROSS HOBBS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 60295

**FILED**

JUL 25 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion for additional presentence credit.<sup>1</sup> Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.


In his motion filed on December 30, 2011, appellant sought an additional nine days of presentence credit. Appellant's claim for additional presentence credit is a challenge to the validity of the judgment of conviction and sentence and such a claim must be raised in a post-conviction petition for a writ of habeas corpus and is subject to the procedural time bar set forth in NRS 34.726(1). Griffin v. State, 122 Nev. 737, 744, 137 P.3d 1165, 1169-70 (2006). Appellant's motion was untimely as it was filed more than twelve years after issuance from the remittitur of his direct appeal on June 29, 1999. Hobbs v. State, Docket No. 33863


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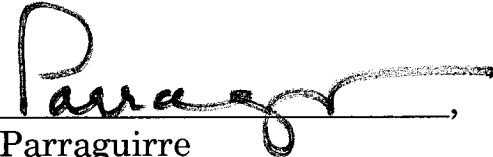
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

(Order Dismissing Appeal, June 1, 1999). Appellant did not attempt to demonstrate cause for the delay. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Dan L. Papez, District Judge  
Benjamin Ross Hobbs  
Attorney General/Carson City  
White Pine County District Attorney  
White Pine County Clerk