

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM JOSEPH CUNDIFF,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60692

FILED

DEC 12 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE


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

In his petitions, which were filed on July 6, 2011, and August 3, 2011, and were substantively identical, appellant challenged the computation of time he has served. Specifically, appellant claimed that his enhancement penalty was improperly calculated as a separate sentence, thereby applying this court's holding in Nevada Dep't Prisons v. Bowen, 103 Nev. 477, 745 P.2d 697 (1987), retroactively and to his detriment. Appellant failed to demonstrate that he was entitled to any

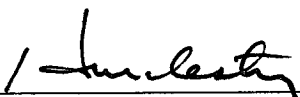
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

relief. Appellant is serving a single sentence for robbery and was not sentenced to any enhancements. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. Michelle Leavitt, District Judge
William Joseph Cundiff
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk