


IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY K. ANDERSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61371

FILED

APR 09 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from orders denying motions for presentence credits.¹ Eighth Judicial District Court, Clark County; J. Charles Thompson, Senior Judge.

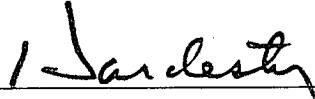
In his motions filed on May 9, 2012, and June 6, 2012, appellant sought an additional 432 days of presentence credit for time spent on house arrest.

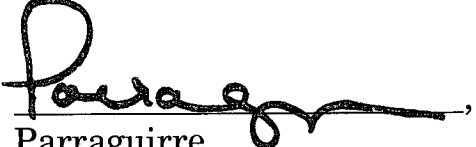
Preliminarily, we note that appellant sought presentence credits in the wrong vehicle. A claim for additional presentence credits is a challenge to the validity of the judgment of conviction and sentence that must be raised in a post-conviction petition for a writ of habeas corpus in compliance with the procedural requirements set forth in NRS chapter 34. See Griffin v. State, 122 Nev. 737, 744, 137 P.3d 1165, 1169 (2006). Even assuming that appellant's use of the wrong vehicle could be overlooked, appellant's claim for additional presentence credits lacked merit as time

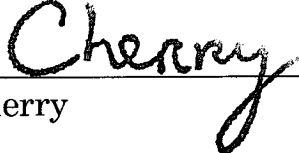
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

spent on house arrest is not actual confinement under NRS 176.055(1) for purposes of awarding presentence credits. See State v. Dist. Ct. (Jackson), 121 Nev. 413, 418-19, 116 P.3d 834, 837 (2005). Appellant failed to provide any other specific facts in support of his request for additional presentence credits. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Chief Judge, Eighth Judicial District Court
Hon. J. Charles Thompson, Senior Judge
Anthony K. Anderson
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.