


IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL KEITH SCHNEIDER, A/K/A
LARRY SCHNEIDER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62052

FILED

JUN 13 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of driving under the influence of alcohol (DUI). Fourth Judicial District Court, Elko County; Nancy L. Porter, Judge.

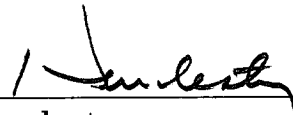
Appellant Michael Schneider argues that the district court erred at sentencing by failing to give him credit for time served between the lodging of a detainer against him and sentencing. We conclude that this claim lacks merit because NRS 176.055(1) does not allow a district court to grant credit for time served when a defendant is confined pursuant to a judgment of conviction for an unrelated offense.

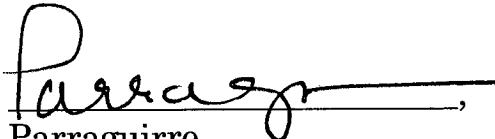
Schneider also argues that his right to equal protection was violated because had he been incarcerated out of state, the Interstate Agreement on Detainers would have required that he be transported to face the instant charges and he would not have failed to appear. Because any alleged violation occurred before Schneider pleaded guilty, and the guilty plea agreement did not preserve his right to raise this claim, this claim is not properly raised in this appeal and we decline to address it. *See Webb v. State*, 91 Nev. 469, 470, 538 P.2d 164, 165 (1975) (noting that once a defendant pleads guilty "he may not thereafter raise independent

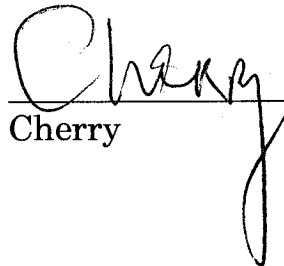
claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea" (internal quotation marks omitted)).

Having considered Schneider's contentions and concluded that he is not entitled to relief, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Nancy L. Porter, District Judge
Elko County Public Defender
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk