

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIEGO MICHAEL CORALLES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62066

FILED

MAY 13 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of unlawful sale of a controlled substance. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

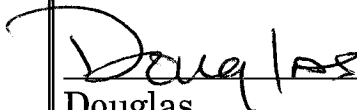
Appellant Diego Michael Coralles claims that the district court erred by miscalculating and misapplying his credit for time served in presentence confinement. Respondent argues that this claim is not properly raised in this appeal. Because “a claim for presentence credit is a claim challenging the validity of the judgment of conviction and sentence,” *Griffin v. State*, 122 Nev. 737, 744, 137 P.3d 1165, 1169 (2006), this claim is properly raised in this appeal.


The district court sentenced Coralles in two district court cases on the same date and credited him with 187 days of presentence credit in one case and with 23 days of presentence credit in the instant case. Coralles did not object to the award of presentence credit at sentencing and has not demonstrated that the district court committed plain error when calculating or applying his presentence credit. See NRS 176.055(1) (a defendant is entitled to credit for time “spent in confinement before conviction, unless the defendant’s confinement was pursuant to a

judgment of conviction for another offense”); *Grey v. State*, 124 Nev. 110, 123, 178 P.3d 154, 163 (2008) (unpreserved sentencing error is reviewed for plain error). Therefore, we

ORDER the judgment of conviction AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Jerome Polaha, District Judge  
John Ohlson  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk