

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER JOSEPH MUNOZ, JR.,
Appellant,
vs.
HOWARD SKOLNIK; AND REX REED,
Respondents.

No. 62124

FILED

JUN 12 2013

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

ORDER OF AFFIRMANCE

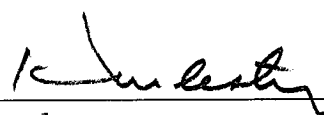
This is a proper person appeal from an order of the district court denying a “motion for proper calculation of good time days.”¹ Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.


In his motion, appellant challenged the computation of time served. Appellant claimed that the Nevada Department of Corrections (NDOC) had failed to correctly award him statutory good-time credits and credits for completion of programs. Appellant asserted that if his credits had been correctly calculated he would have been released from prison in 2008. Appellant failed to demonstrate he was entitled to relief. Appellant incorrectly assumed he should be awarded credits prior to actually earning the good-time credits, he failed to demonstrate he was entitled to additional credits for the programs he completed, and the NDOC credit

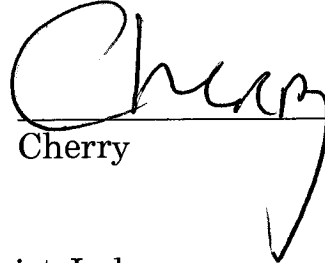
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975). We conclude that the district court properly construed the motion to be a post-conviction petition for a writ of habeas corpus based on the relief sought. *See NRS 34.724(2)(c)*.

history logs demonstrate that appellant's credits have been correctly awarded. See NRS 209.4465(1)(a), (5); NRS 209.449. Therefore, the district court did not err in denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Kenneth C. Cory, District Judge
Peter Joseph Munoz, Jr.
Attorney General/Carson City
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.