

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCO ANTONIO SANCHEZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 63807

**FILED**

**MAR 12 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND*

This is a proper person appeal from an order of the district court dismissing a proper person petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Adriana Escobar, Judge.

On May 8, 2013, appellant attempted to file a post-conviction petition for a writ of habeas corpus seeking additional presentence credits in his criminal case number C142877. The district court clerk instead filed the petition in a separate civil case, A681369. The district court then denied the petition because it should have been filed in the criminal case.

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<sup>1</sup>This 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).

Based on the foregoing, we conclude that it was error for the district court to deny the petition rather than have the petition transferred to the criminal case. Accordingly, we

ORDER the judgment of the district court REVERSED AND REMAND for the district court to transfer the petition filed in A681369 to criminal case number C142877.

*Hardesty*, J.  
Hardesty

*Douglas*, J.  
Douglas

*Cherry*, J.  
Cherry

cc: Hon. Adriana Escobar, District Judge  
Marco Antonio Sanchez  
Attorney General/Carson City  
Attorney General/Las Vegas  
Clark County District Attorney  
Eighth District Court Clerk