

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE A. RAMIREZ,
Appellant,
vs.
GREGORY COX, DIRECTOR, NEVADA
DEPARTMENT OF CORRECTIONS;
AND ROBERT LEGRAND, WARDEN,
LOVELOCK CORRECTIONAL
CENTER,
Respondents.

No. 64101

FILED

MAR 11 2014

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.¹ Sixth Judicial District Court, Pershing County; Michael Montero, Judge.

In his petition filed on February 1, 2013, appellant claimed that the Nevada Department of Corrections improperly calculated his good-time credits by failing to apply credits to the minimum terms for which he was eligible for parole. Appellant asserted that *Demosthenes v. Williams*, 97 Nev. 611, 614-15, 637 P.2d 1203, 1204-05 (1981), required that his credits be applied to the minimum terms for parole eligibility. Appellant failed to demonstrate he was entitled to relief.

Appellant did not provide any information regarding how many credits he has earned and how the Department has actually applied

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 *Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

those credits. Therefore, his claim is a bare claim and without factual support. Bare claims are insufficient to demonstrate that a petitioner is entitled to relief. *Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984). In addition, appellant's reliance upon *Demosthenes* was misplaced because that case discussed a previous version of NRS 209.443. 97 Nev. at 614, 637 P.2d at 1204; 1977 Nev. Stat., ch. 430, §§ 44-45, at 851-52. In 1983, the legislature amended NRS 209.443 to specifically state that credits earned pursuant to that statute do not "apply to eligibility for parole if a statute specifies a minimum sentence which must be served before a person becomes eligible for parole." 1983 Nev. Stat., ch. 158, § 1, at 360-61. Appellant sought to have credits applied to his minimum terms in a manner specifically barred by the 1983 amendment. Therefore, appellant's claim was without merit and the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Michael Montero, District Judge
George A. Ramirez
Attorney General/Carson City
Pershing County Clerk