

IN THE SUPREME COURT OF THE STATE OF NEVADA

TONY SMITH,  
Appellant,  
vs.  
DWIGHT NEVEN, WARDEN,  
Respondent.

No. 64911

**FILED**

APR 10 2014

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 post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

In his petition, filed on June 20, 2013, appellant challenged the computation of time he has served. He first alleged that he has been denied good-time credits. Appellant did not demonstrate that he was entitled to any additional credits. To the extent appellant is concerned that a California court sentenced him to a term consecutive to his Nevada sentence where his Nevada judgment of conviction stated that the sentence would run concurrent to the California conviction, the sentencing decision of a court in another state is a matter outside the jurisdiction of this court.

Appellant also alleged that he has been denied work credit because he has been denied the opportunity to work. Appellant did not

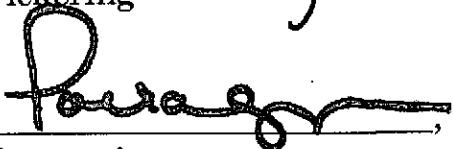
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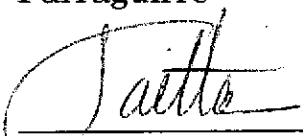
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

demonstrate that he was entitled to any additional credits. A prisoner has no right to employment while in prison, and therefore, appellant cannot demonstrate that the lack of employment and opportunity to earn statutory work credits violated any protected right. See NRS 209.461(1), (6); *Collins v. Palczewski*, 841 F. Supp. 333, 336-37 (D. Nev. 1993) (recognizing that a prisoner has no independent constitutional right to employment and that the Nevada statutes do not mandate employment). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

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

cc: Hon. Elissa F. Cadish, District Judge  
Tony Smith  
Attorney General/Las Vegas  
Eighth District Court Clerk