

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES WILLIAM LATVIS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 67366

**FILED**

JUL 14 2015

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

*ORDER OF AFFIRMANCE*

This is an appeal from an order of the district court denying a “motion to include all jail credits.”<sup>1</sup> Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

In his November 20, 2014, motion, appellant James Latvis sought presentence credits. In this case, however, the State dismissed the charges against Latvis and Latvis was not in custody pursuant to those

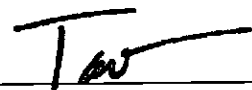
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<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

charges when he filed the instant motion.<sup>2</sup> Therefore, the district court properly denied relief. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Elissa F. Cadish, District Judge  
James William Latvis  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We note Latvis appeared to request any credits be applied towards his sentence for a separate conviction. To the extent Latvis believes he was not properly granted presentence credits towards the separate conviction, such a challenge must be raised in a separately filed post-conviction petition for a writ of habeas corpus referencing that case number in the county in which Latvis was convicted. See NRS 34.724(1); NRS 34.738(1). We express no opinion as to whether Latvis could meet the procedural requirements of NRS chapter 34 for any challenges to the separate conviction.