

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

HANS SEIBT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 68089

**FILED**

OCT 20 2015

FRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from an order denying a post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.


In his petition filed on December 31, 2014, appellant Hans Seibt claimed he was entitled to an additional 840 days of presentence credit he earned while on house arrest. We conclude the district court did not err in denying the petition. Seibt's claim for additional presentence credit lacked merit because house arrest is not actual confinement under NRS 176.055(1), and therefore, Seibt was not entitled to credit for time


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

spent on house arrest. *State v. Second Judicial Dist. Court (Jackson)*, 121 Nev. 413, 418-19, 116, P.3d 834, 837 (2005). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Kathleen E. Delaney, District Judge  
Hans Seibt  
Attorney General/Carson City  
Attorney General/Las Vegas  
Clark County District Attorney  
Eighth District Court Clerk