

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FERNANDO THOMAS PIPER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70820

FILED

MAY 17 2017

FILED
CLERK OF THE COURT
BY *A. Wilson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Fernando Thomas Piper appeals from an order of the district court dismissing a postconviction petition for a writ of habeas corpus.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.

In his April 29, 2016, petition, Piper claimed the Nevada Department of Corrections (NDOC) has improperly declined to apply his statutory credits toward his minimum term. The district court concluded Piper was not entitled to relief because Piper is currently serving a prison term for a category B felony, committed in 2013, and for those reasons, the NDOC may only apply Piper's statutory credits toward his maximum term

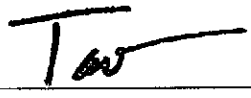
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).


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pursuant to NRS 209.4465(8).² Given these circumstances, we conclude the district court did not err in dismissing this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
Fernando Thomas Piper
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk

²The record demonstrates Piper was convicted of grand larceny, a category B felony. See NRS 205.222(3).