

IN THE SUPREME COURT OF THE STATE OF NEVADA

LORNE DOUGLAS RICHARDSON,
A/K/A JEFFREY JAMES BRAWLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72135

FILED

NOV 03 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER VACATING AND REMANDING


This is a pro se appeal from a district court order denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.

Appellant Lorne Douglas Richardson argues that the credits he has earned pursuant to NRS 209.4465 must be applied to his parole eligibility as provided in NRS 209.4465(7)(b) (1997). In denying Richardson's petition, the district court concluded that his claim was not cognizable in a postconviction petition for a writ of habeas corpus. This court recently held to the contrary in *Williams v. State*, 133 Nev., Adv. Op. 75, ___ P.3d ___ (2017).¹ The district court therefore must consider the

¹Having considered Richardson's pro se brief and given our decision in *Williams*, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. See NRAP 34(f)(3).

petition on the merits, consistent with our decision in *Williams*.² Because the district court did not have the benefit of our decision in *Williams*, we

ORDER the judgment of the district court VACATED AND REMAND this matter for the district court to reconsider its decision in light of *Williams*.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Richard Scotti, District Judge
Lorne Douglas Richardson
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²The court cannot grant Richardson relief on any sentences that he has already discharged or appeared before the parole board. *Williams*, 133 Nev., Adv. Op. 75 at 10 n.7.