

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CORENCIO TAYLOR,
Appellant,
vs.
BRIAN E. WILLIAMS, SR., WARDEN;
OFFENDER MANAGEMENT
DIVISION; AND THE STATE OF
NEVADA,
Respondents.

No. 74054

FILED

APR 11 2018

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

ORDER OF AFFIRMANCE

Corencio Taylor appeals from a district court order denying the postconviction petition for a writ of habeas corpus he filed on August 8, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

In his petition, Taylor claimed the Nevada Department of Corrections was not applying the statutory credits he earned to his minimum sentences as required by NRS 209.4465(7)(b).² The district court determined Taylor was not entitled to good time deductions from his parole

¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

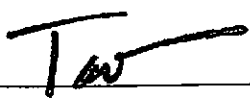
²To the extent Taylor also claimed he was entitled to additional credits because he has made every effort to participate in educational and/or work programs, his claim lacks merit because he does not have a constitutional or statutory right to education or employment while in prison and he is not entitled to credits that he did not earn. See NRS 209.387; NRS 209.389(4); NRS 209.4465(2); *Collins v. Palczewski*, 841 F. Supp. 333, 336-37 (D. Nev. 1993).

eligibility date because he was serving a sentence for a category B felony he committed after 2007.

Taylor appears to claim the district court erred in its interpretation of NRS 209.4465. We have reviewed the statute and conclude the district court correctly determined Taylor was not entitled to have credits deducted from his minimum sentence because he committed his crime after NRS 209.4465 was amended in 2007 and NRS 209.4465(8)(d) excludes category B felons from receiving credit toward their minimum sentence.³ See 2007 Nev. Stat., ch. 525, §, 5, at 3177; see generally *Robert E. v. Justice Court of Reno Twp.*, 99 Nev. 443, 445, 664 P.2d 957, 959 (1983) (“When presented with a question of statutory interpretation, the intent of the legislature is the controlling factor and, if the statute under consideration is clear on its face, a court cannot go beyond the statute in determining legislative intent.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

³The record on appeal does not include the charging document and the judgment of conviction. However, Taylor does not challenge the district court’s factual finding that he is currently serving a sentence for a category B felony for conduct that occurred after 2007, and he acknowledges in his petition that he was convicted of robbery and kidnapping and was sentenced to two consecutive prison terms of 60 to 180 months in 2012. See NRS 200.330; NRS 200.380(2).

cc: Hon. Linda Marie Bell, District Judge
Corencio Taylor
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk