

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAVID BRANDON SID,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN; THE
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS; AND THE STATE
OF NEVADA,
Respondents.

No. 71989

FILED

DEC 28 2017

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

ORDER OF AFFIRMANCE

David Brandon Sid appeals from an order of the district court denying the “motion for application of lawful stat time” he filed on June 9, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


In his motion, Sid claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his minimum term. The district court construed the motion as a postconviction petition for a writ of habeas corpus and determined Sid was not entitled to relief. Specifically, the district court found Sid is currently serving a prison term for possession of a stolen vehicle, category B felony, *see* 1997 Nev. Stat., ch. 150, § 7, at 344, and Sid committed his crime in January of 2011. The district court found the NDOC may only apply Sid’s statutory credits toward his maximum term pursuant to NRS


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).

209.4465(8)(d). Given these circumstances, we conclude the district court did not err by denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

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