

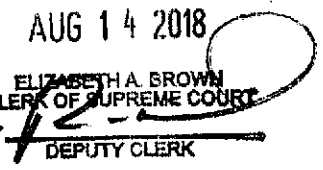
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MILTON CHARLES RADCLIFFE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74635

FILED

AUG 14 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Milton Charles Radcliffe appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

In his January 17, 2017, petition, Radcliffe claimed the Nevada Department of Corrections (NDOC) improperly declined to apply statutory credits to his minimum term pursuant to NRS 209.4465(7)(b). Radcliffe's claim lacked merit. NRS 209.4465(7)(b) begins, "Except as otherwise provided in subsection [] 8" and NRS 209.4465(8)(a) specifically excludes offenders convicted of violent felonies from applying credits to their minimum sentences. Radcliffe is serving a term for a felony involving the use of violence committed after NRS 209.4465(8)'s effective date.²

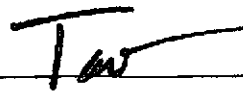
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

²The record demonstrates Radcliffe was convicted of attempted child abuse, neglect, or endangerment, *see* NRS 193.330(1)(a)(3); NRS 200.508(1)(b)(1); he committed the offense in 2016; and he did so by directing a juvenile male to repeatedly hit a 13-year-old female.

Accordingly, Radcliffe is not entitled to the application of credits to his minimum term. Therefore, we

ORDER the judgment of the district court AFFIRMED.³


Silver, C.J.


Tao, J.


Gibbons, J.

cc: Hon. Linda Marie Bell, District Judge
Milton Charles Radcliffe
Attorney General/Carson City
Attorney General/Las Vegas
Clark County District Attorney
Eighth District Court Clerk

³We have considered Radcliffe's March 9, 2018, "Memorandum of Judgment of Conviction" and conclude no relief is warranted.