

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KIPPY GLOVER, JR.,  
Appellant,  
vs.  
NDOC; AND BRIAN WILLIAMS,  
WARDEN,  
Respondents.

No. 74789

**FILED**

AUG 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Kippy Glover, Jr., appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on July 7, 2017.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, Glover claimed the Nevada Department of Corrections was not applying the statutory credits to his minimum sentence as required by NRS 209.4465 and was depriving similarly-situated inmates of their statutory rights. The district court found Glover was not entitled to statutory credit deductions from his parole eligibility date because he was serving a sentence for a category B felony and there was no “equal protection issue here as similarly situated inmates are similarly treated and Mr. Glover does not allege discrimination based on a classification.”


On appeal, Glover claims the district court erred in its interpretation of NRS 209.4465. We have reviewed the statute and conclude the district court correctly determined Glover is not entitled to

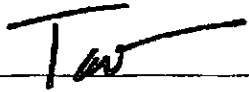
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

have credits applied to his minimum sentence because he was convicted of a category B felony. See NRS 209.4465(8)(d). And, NRS 209.4465(9) does not apply to Glover because he is not entitled to credits under NRS 209.4465(8). 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.<sup>2</sup>

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Linda Marie Bell, Chief Judge  
Kippy Glover, Jr.  
Attorney General/Carson City  
Eighth District Court Clerk

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<sup>2</sup>To the extent that Glover also claims the district court erred in ruling that he was not deprived of equal protection of the law, we conclude his claim is without merit because he failed to demonstrate that NRS 209.4465(8) was being applied differently to similarly situated individuals. See *Gaines v. State*, 116 Nev. 359, 371, 998 P.2d 116, 173 (2000) (“The Equal Protection Clause of the Fourteenth Amendment mandates that all persons similarly situated receive like treatment under the law.”).