

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN L. BROWN,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 74486

FILED

SEP 26 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

John L. Brown 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, Chief Judge.

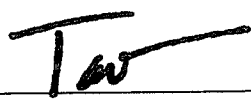
In his December 12, 2016, petition, Brown claimed the Nevada Department of Corrections improperly declined to apply statutory credits to his minimum terms pursuant to NRS 209.4465(7)(b). Brown's claim lacked merit. NRS 209.4465(7)(b) begins, "Except as otherwise provided in subsection[] 8" and NRS 209.4465(8)(d) specifically excludes offenders convicted of category A and B felonies from applying credits to their minimum sentences. The record demonstrated Brown was serving terms for category B felonies committed after the effective date for NRS

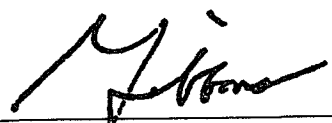
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

209.4465(8).² Therefore, Brown was not entitled to the application of credits to his minimum terms. Accordingly, we conclude the district court properly denied the petition, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Linda Marie Bell, Chief Judge
John L. Brown
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk

²The district court found Brown was serving prison terms for two separate convictions of ownership or possession of a firearm by a prohibited person. See NRS 202.360(1).