

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JIMMIE LEE WARE,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 76622

FILED

SEP 14 2018

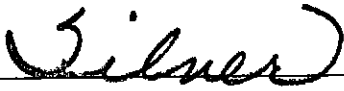
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

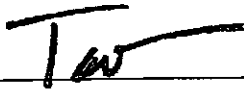
ORDER DENYING PETITION


This is an original petition for a writ of mandamus and/or prohibition. Jimmie Lee Ware argues subsection 7 and subsection 8 of NRS 209.4465 are in conflict and he appears to assert he is entitled to have statutory credit applied to his minimum term. We have considered the petition, and without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction in this matter. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; NRAP 21(b)(1); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). A postconviction petition for a writ of habeas corpus filed in the district court in the county in which the petitioner is incarcerated "[i]s the only remedy available to an incarcerated person to challenge the computation of time that the person has served pursuant to a

judgment of conviction." NRS 34.724(2)(c); *see* NRS 34.738(1). Accordingly,
we

ORDER the petition DENIED.


Silver, C.J.


Tao, J.


Gibbons, J.

cc: Jimmie Lee Ware
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk