

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL ALLEN MCCUTCHEN,
Petitioner,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 76640

FILED

SEP 14 2018

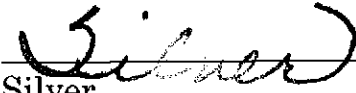
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION

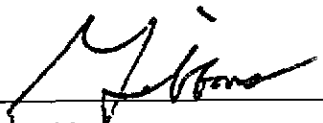
This original petition for a writ of mandamus seeks an order directing respondent to recalculate and apply statutory credit to both Michael Allen McCutchen's minimum and maximum sentence and to provide proof of such recalculation and application. We have considered the petition, and without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction in this matter. See NRS 34.160; NRS 34.170; 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.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Michael Allen McCutchen
Attorney General/Carson City