


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TERRANCE HARDISON,  
Appellant,  
vs.  
BRIAN WILLIAMS, WARDEN,  
Respondent.

No. 73707

**FILED**

AUG 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Terrance Hardison appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on November 17, 2016.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

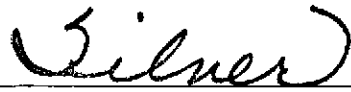
Hardison claimed the Nevada Department of Corrections (NDOC) is not applying statutory credits to his minimum sentences pursuant to NRS 209.4465(7)(b). Hardison's claim lacked merit. NRS 209.4465(7) begins, "Except as otherwise provided in subsection[ ] 8," and NRS 209.4465(8)(d) specifically excludes offenders convicted of category B felonies from applying statutory credits to their minimum sentences. Hardison's sentences were for category B felonies, *see* NRS 200.380(2); NRS 205.067(2), for offenses committed after NRS 209.4465(8)'s effective date. Hardison is therefore not entitled to the application of credits to his minimum sentences.


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

Hardison contends in his informal brief on appeal that NDOC is failing to credit him the 161 days of time served reflected in his judgment of conviction. Hardison also appears to challenge the validity of the effective date of 2007's A.B. 510. Because these are new arguments not raised below, we decline to consider them on appeal in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999).

Having concluded Hardison is not entitled to relief, we  
ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Linda Marie Bell, Chief Judge  
Terrance Hardison  
Attorney General/Carson City  
Attorney General/Las Vegas  
Clark County District Attorney  
Eighth District Court Clerk