

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TIMOTHY Y. MCCALVIN,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 76541

FILED

AUG 14 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

This original petition for a writ of mandamus challenges the application of credit Timothy Y. McCalvin has earned pursuant to NRS 209.4465. This is a challenge to the computation of time McCalvin has served pursuant to his judgment of conviction.

We have considered the petition and, without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction. 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: Timothy Y. McCalvin
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk