

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MILTON DAVID PLUMMER,  
Petitioner,

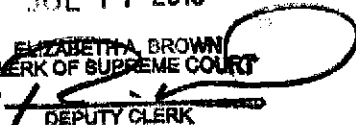
vs.

THE ELEVENTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
PERSHING,  
Respondent.

No. 76039

**FILED**

JUL 17 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

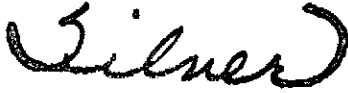
*ORDER DENYING PETITION*


This is an original petition for a writ of mandamus challenging the computation of time Milton David Plummer has served. Plummer asserts he is entitled to have credit applied to his minimum term pursuant to NRS 209.4465.

We have considered the petition on file herein, and without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction in this matter. *See* NRS 34.160; 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.”<sup>1</sup> NRS 34.724(2)(c); *see* NRS 34.738(1).  
Accordingly, we

ORDER the petition DENIED.

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

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

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

cc: Milton David Plummer  
Attorney General/Carson City  
Pershing County Clerk

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<sup>1</sup>To the extent Plummer has already sought and been denied such relief in the district court, his remedy is to appeal the denial of his petition. We express no opinion whether any such appeal would be timely. *See* NRS 34.575(1).