

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GERALD WRISCHNIK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74171

FILED

JUL 17 2018

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

ORDER OF AFFIRMANCE

Gerald Wrischnik appeals from an order of the district court denying the postconviction petition for a writ a habeas corpus filed on December 27, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


In his petition, Wrischnik claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his minimum term. The district court denied the petition because Wrischnik is serving prison terms for burglary, a category B felony, *see* NRS 205.060(2), and he committed his crimes in 2016. For those reasons the district court found the NDOC may only apply Wrischnik's statutory credits toward his maximum terms pursuant to NRS 209.4465(8)(d). Given these

¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

circumstances, we conclude the district court did not err by denying this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Linda Marie Bell, District Judge
Gerald Wrischnik
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk