

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DARIN MICHAEL LEE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74018

FILED

JUL 17 2018

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

ORDER OF AFFIRMANCE

Darin Michael Lee appeals from an order of the district court denying the postconviction petition for a writ a habeas corpus filed on January 10, 2017.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

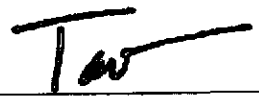
In his petition, Lee claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his minimum term. The district court denied the petition because Lee is serving a prison term for aggravated stalking, a category B felony, *see* NRS 200.575(2), and he committed his crime in 2016. For those reasons the district court found the NDOC may only apply Lee's statutory credits toward his maximum term 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
Darin Michael Lee
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk