

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL DALE RULE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,

Respondent,

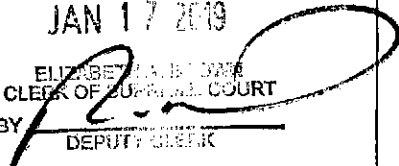
and

JO GENTRY, WARDEN,
Real Party in Interest.

No. 76347-COA

FILED

JAN 17 2019

ELIZABETH A. BOWMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

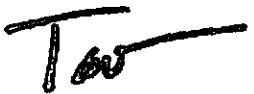
In this original petition for a writ of habeas corpus, Michael Dale Rule asserts the Nevada Department of Corrections (NDOC) has denied him work time credits by denying him the opportunity to work in culinary because he has hepatitis C. Rule asks this court to order NDOC to grant him 304 days of work credit under NRS 209.4465(2).

We have considered the petition, and we decline to exercise our original jurisdiction in this matter. *See 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."). Rule is challenging the computation of time he has served. 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, without deciding upon the merits of any claims raised, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Michael Dale Rule
Attorney General/Carson City
Eighth District Court Clerk