

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARTIN MARTINEZ CARRILLO, JR.,
Petitioner,

vs.

THE FOURTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF ELKO,

Respondent,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 77327-COA

FILED

JAN 17 2018

ELIZABETH BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION


This original petition for a writ of mandamus seeks an order directing the district court to order the Nevada Department of Corrections to apply credit to Martin Martinez Carrillo, Jr.'s minimum sentence pursuant to NRS 209.4465.¹ We have considered the petition, and we decline to exercise our original jurisdiction in this matter. 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."). The claim raised is a challenge to the computation of time 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

¹Because this matter has already been transferred to this court, Carrillo's motion to transfer this matter to the Court of Appeals is denied as moot.

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: Martin Martinez Carrillo, Jr.
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk