

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAVERN CHARLES FASTHORSE,
Petitioner,

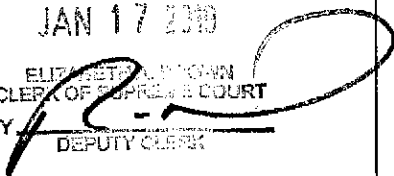
vs.

THE FIRST JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CARSON CITY,
Respondent.

No. 77439-COA

FILED

JAN 17 2010

ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

This is an original petition for a writ of prohibition. Lavern Charles Fasthorse appears to assert statutory credit has been misapplied with regard to his minimum sentence. We have considered the petition, and we decline to exercise our original jurisdiction in this matter. See NRS 34.320; NRS 34.330; 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 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: Lavern Charles Fasthorse
Attorney General/Carson City
Carson City Clerk