

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JERRY J. FIELDS,
Appellant,
vs.
JO GENTRY, WARDEN; OFFENDER
MANAGEMENT DIVISION; AND THE
STATE OF NEVADA,
Respondents.

No. 74812-COA

FILED

JAN 25 2019

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

ORDER OF AFFIRMANCE

Jerry J. Fields appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on December 2, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, Fields claimed the Nevada Department of Corrections was not applying the statutory credits he earned to his minimum sentence as required by NRS 209.4465(7)(b). The district court denied Fields' petition after finding he was not entitled to have good time credits applied to his parole eligibility date because he was "serving a sentence based on category B felonies" for crimes he committed in 2014.

On appeal, Fields claims the district court erred by concluding the exclusion in NRS 209.4465(8)(d) applies to offenders who have been *convicted* of category C or D felonies but are being *punished* for a category

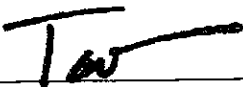
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

B felony pursuant to NRS 207.010(1)(a).² This court recently held “that NRS 209.4465(8)(d) precludes application of statutory credit to an offender’s parole eligibility and minimum term for a sentence imposed pursuant to NRS 207.010.” *Doolin v. State*, 134 Nev., Adv. Op. 98, *8, ___ P.3d ___, ___ (Ct. App. 2018).

Because Fields’ sentence was imposed pursuant to NRS 207.010(1)(a), we conclude the district court properly found that he was not entitled to have good time credits applied to his parole eligibility date, and we

ORDER the judgment of the district court AFFIRMED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Linda Marie Bell, Chief Judge
Jerry J. Fields
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk

²Fields was convicted of possession of a stolen vehicle and possession of a credit or debit card without the cardholder’s consent for crimes he committed in 2014. *See* NRS 205.273(3); NRS 205.690(2).