

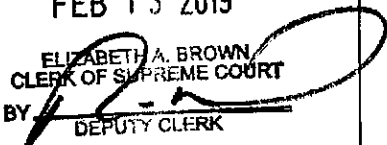
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JEFFREY CLAYTON, JR.,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 75924-COA

FILED

FEB 13 2019

ELIZABETH A. BROWN,
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Jeffrey Clayton, Jr., appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on October 25, 2017.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Clayton contends the district court erred by denying his petition challenging the computation of time served. Clayton claimed he was entitled to the application of statutory credits to his minimum sentence pursuant to NRS 209.4465(7)(b). The district court found Clayton was sentenced for a category B felony for a crime he committed after 2007 and was thus not entitled to the application of credits to his minimum sentence. *See* NRS 209.4465(8)(d). Although copies of Clayton's charging document and judgment of conviction are not included in the record on appeal to support the district court's findings, we nevertheless affirm.

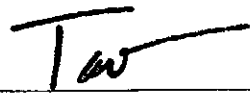
Whether Clayton is entitled to the application of credits to his minimum sentence depends on when he committed his crime. *See generally*

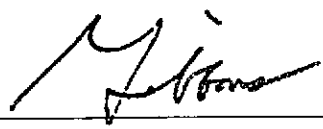
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

Williams v. State, 133 Nev. ___, 402 P.3d 1260 (2017) (holding credits should be applied to certain minimum sentences for crimes committed between the 1997 enactment and 2007 amendment of NRS 209.4465). Clayton claimed to have been convicted of a category B felony, see NRS 484B.550(3), but he did not state when he committed it. He thus failed to support his claim with necessary specific factual allegations. Cf. *Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984) (holding a petitioner is not entitled to an evidentiary hearing where his claims are unsupported by specific factual allegations that, if true, would have entitled him to relief). We therefore conclude the district court did not err by denying Clayton's petition. See *Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed simply because it is based on the wrong reason). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Linda Marie Bell, Chief Judge
Jeffrey Clayton, Jr.
Attorney General/Carson City
Eighth District Court Clerk