

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAVID GORDON MOUNTFORD,
Appellant,
vs.
BRIAN E. WILLIAMS, SR., WARDEN
HDSP,
Respondent.

No. 75614-COA

FILED

FEB 13 2019

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

ORDER OF AFFIRMANCE

David Gordon Mountford appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on September 14, 2017.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.


Mountford argues the district court erred by denying his claim the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits to the minimum term of his sentence. The district court concluded Mountford was not entitled to relief because he was convicted of burglary, a category B felony, *see* NRS 205.060(2), committed the offense in 2016, and for those reasons, NDOC may only apply Mountford's credits toward his maximum term pursuant to NRS

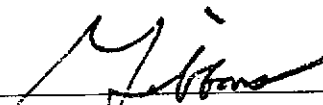
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

209.4465(8). Given these circumstances, we conclude the district court did not err by denying this claim.² 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
David Gordon Mountford
Attorney General/Las Vegas
Eighth District Court Clerk

²To the extent Mountford alleged he was entitled to work credits, this claim was not raised in Mountford's petition below, and we decline to consider it for the first time on appeal. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999).