

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JEREMY LEE STUTTS,
Appellant,
vs.
PERRY RUSSELL, WARDEN,
Respondent.

No. 76057-COA

FILED

FEB 15 2019

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

ORDER OF AFFIRMANCE

Jeremy Lee Stutts appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on April 10, 2018.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.

Stutts contends the district court erred by denying his petition. First, Stutts claimed he is entitled to the application of statutory credits to his minimum sentence pursuant to NRS 209.4465(7)(b). The district court found Stutts' sentence was the result of a conviction for a category B felony committed after the effective date of NRS 209.4465(8)(d), which precludes the application of credits to minimum terms of sentences for such felonies. These findings are supported by the record. *See* NRS 453.3385(1)(b). We therefore conclude the district court did not err by denying this claim.

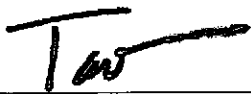
Stutts also claimed his rights to equal protection are violated because he is being treated differently than offenders whose crimes predated the 2007 amendments to NRS 209.4465. Stutts' claim lacked

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

merit. *See Vickers v. Dzurenda*, 134 Nev. Adv. Op. 91 at *8, ___, P.3d ___,
___ (Ct. App. 2018). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James Todd Russell, District Judge
Jeremy Lee Stutts
Attorney General/Carson City
Carson City Clerk