

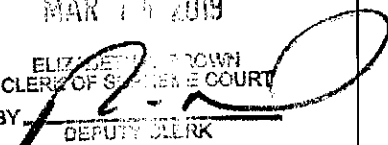
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TIMOTHY LEROY WILLIAMS,
Appellant,
vs.
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS IN RELATION TO
OFFENDER MANAGEMENT
DIVISION; AND ISIDRO BACA,
WARDEN,
Respondents.

No. 75971-COA

FILED

MAR 14 2019

ELIZABETH BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Timothy Leroy Williams appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on April 9, 2018.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.


First, Williams claims the district court violated his right to due process because the State's response to his petition and the district court's order denying his petition were filed one day apart and the signature on the order was generated by a computer. We conclude Williams' claim constitutes a bare allegation and he is not entitled to relief. *See Hargrove v. State*, 100 Nev. 498, 503, 686 P.3d 222, 225 (1984) (a petitioner is not entitled to postconviction relief if his claims are bare or belied by the record).

Second, Williams appears to claim the district court erred in its interpretation of NRS 209.449. We have reviewed the statute and conclude the district court correctly determined that it applies only to vocational

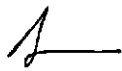
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

education and training programs or other programs approved by the Director of the Nevada Department of Corrections. See NRS 209.449(1); *Robert E. v. Justice Court of Reno Twp.*, 99 Nev. 443, 445, 664 P.2d 957, 959 (1983) ("When presented with a question of statutory interpretation, the intent of the legislature is the controlling factor and, if the statute under consideration is clear on its face, a court cannot go beyond the statute in determining legislative intent."). Because Williams failed to demonstrate the courses he completed constituted programs of vocational education and training, he failed to demonstrate he was entitled to a deduction of 60 days from the maximum term of his prison sentence. See NRS 209.449(1). Consequently, we conclude the district court did not err in denying his petition, and we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Tao


_____, J.
Gibbons


_____, J.
Bulla

cc: Hon. James Todd Russell, District Judge
Timothy Leroy Williams
Attorney General/Carson City
Carson City Clerk