

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RIO JONES,
Appellant,
vs.
NDOC; AND BRIAN WILLIAMS,
WARDEN,
Respondents.

No. 75757-COA

FILED

APR 16 2019

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

ORDER OF AFFIRMANCE

Rio Jones appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on September 26, 2017.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

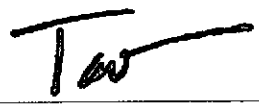
Jones claimed the Nevada Department of Corrections improperly declined to apply his statutory credits toward his minimum sentence. The district court found Jones is serving a sentence for voluntary manslaughter with the use of a deadly weapon, a category B felony done with the use of violence, *see* NRS 193.165(3); NRS 200.040; NRS 200.080, committed in 2015, and therefore, was not entitled to have credits deducted from his minimum sentence. *See* NRS 209.4465(8)(a), (d). Substantial evidence supports the decision of the district court, and we conclude the district court did not err by denying this claim. *See* NRS 209.4465(8)(d).


¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

To the extent Jones claimed the failure to apply the credits toward his minimum sentence violated the Equal Protection Clause, this claim lacked merit. See *Vickers v. Dzurenda*, 134 Nev. ___, 433 P.3d 306, 310 (Ct. App. 2018). We also conclude the district court correctly determined Jones was receiving credits toward his maximum term. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Rio Jones
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²To the extent the district court denied a claim regarding work credits, Jones specifically stated in his reply to the State's response to his petition that he was not raising a claim regarding work credits. Accordingly, we decline to consider any claims regarding work credits.