

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY COOKE,

No. 36992

Appellant,

vs.

FILED

DEC 14 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *Rehah*
CHIEF DEPUTY CLERK

THE STATE OF NEVADA,

Respondent.

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's motions for good-time credits and jail-time credits. Appellant was convicted, pursuant to a guilty plea, of one count of burglary. The district court sentenced appellant to a prison term of 24 to 60 months.

Appellant filed a proper person motion for jail-time credits for the period of time he spent at the Clark County Detention Center after conviction but before he was transported to the Nevada State Prison. Appellant also filed a motion for good-time credits for the time he spent at the Clark County Detention Center prior to his conviction and while awaiting transport.

Based upon our review of the record on appeal, we conclude that the district court did not err in denying his petition. NRS 176.055 provides, in part, that the district court may grant credit for time "spent in confinement before conviction."¹ Appellant is therefore not entitled to credit, pursuant to NRS 176.055, for the time spent in the Clark County Detention Center after his conviction.² As to the good-time credits, appellant failed to provide sufficient specific factual allegations

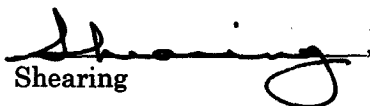
¹(Emphasis added).

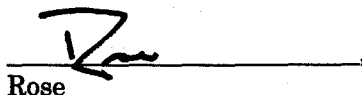
²We note that appellant began serving his term of imprisonment on the day he was sentenced. NRS 176.335(3). If appellant's argument is that the Department of Prisons has incorrectly calculated the time served by not giving him credit for time served in the Clark County Detention Center, appellant may file a post-conviction petition for a writ of habeas corpus. See NRS 34.720(2).

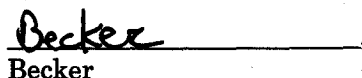
demonstrating that he was entitled to the relief requested.³ Specifically, appellant failed to specify the sentences he is currently serving for convictions other than this one, although it appears from the record that appellant was on parole for a California conviction at the time he committed the instant burglary.

Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.⁴ Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Lee A. Gates, District Judge
Attorney General/Carson City
Clark County District Attorney
Timothy Cooke
Clark County Clerk

³See Pangallo v. State, 112 Nev. 1533, 1537, 930 P.2d 100, 103 (1996), limited on other grounds by Hart v. State, 116 Nev. 558, 1 P.3d 969 (2000).

⁴See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).