

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWAN THURMOND,  
Appellant,  
vs.  
I. BACA; AND HARTMAN,  
Respondents.

No. 68017

**FILED**

**NOV 19 2015**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from an order of the district court dismissing a postconviction petition for a writ of habeas corpus.<sup>1</sup> First Judicial District Court, Carson City; James E. Wilson, Judge.

In his petition filed on February 27, 2015, appellant Edwan Thurmond claimed he did not timely receive a parole hearing in 2005 on count two of his judgment of conviction, and therefore, he served an extra six months in prison. Thurmond's claim is moot because he received parole on count two in 2005 and has already discharged that sentence. *See Johnson v. Dir. Nev. Dep't. of Prisons*, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989). Therefore, the district court did not err in dismissing this claim.

Next, Thurmond claimed he should have received an extra 18 days of presentence credit. This claim was improperly made in a postconviction petition challenging the computation of time served. Such a challenge must be raised in a separately filed postconviction petition for a writ of habeas corpus referencing his district court case number in the


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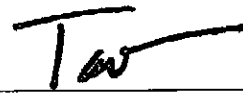
<sup>1</sup>This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

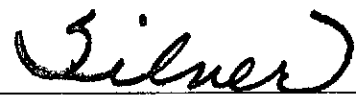
county in which Thurmond was convicted.<sup>2</sup> See NRS 34.724(1); NRS 34.738(1). Therefore, the district court did not err in dismissing this claim.

Finally, Thurmond appeared to claim he may not have received credit for his time spent on a fire crew with the Nevada Division of Forestry. Thurmond failed to support this claim with specific facts that, if true, would entitle him to relief. See *Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984). Therefore, the district court did not err in dismissing this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

cc: Hon. James E. Wilson, District Judge  
Edwan Thurmond  
Attorney General/Carson City  
Carson City Clerk

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<sup>2</sup>We express no opinion as to whether Thurmond could meet the procedural requirements of NRS chapter 34 for a postconviction petition requesting additional presentence credits.