

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

PAUL BRADLEY MOROWSKI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70929

FILED

JUN 14 2017

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

ORDER OF AFFIRMANCE

Paul Bradley Morowski appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.

In his May 18, 2016, petition, Morowski claimed the Nevada Department of Corrections (NDOC) has improperly declined to apply his statutory credits toward his minimum term. The district court concluded Morowski was not entitled to relief because Morowski is currently serving a prison term for a category B felony, committed in 2014, and for those reasons, the NDOC may only apply Morowski's statutory credits toward his maximum term pursuant to NRS 209.4465(8)(d).² Given these

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).

²The record demonstrates Morowski was convicted of driving under the influence of intoxicating liquor with a prior felony driving under the influence conviction, a category B felony. See NRS 484C.410(1).

circumstances, we conclude the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
Paul Bradley Morowski
Attorney General/Carson City
Carson City Clerk