IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SCOTT R. WOODS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70847

FILED

MAY 16 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

ORDER OF AFFIRMANCE

Scott R. Woods appeals from a district court order denying the postconviction petition for a writ of habeas corpus he filed on May 3, 2016, that challenged the computation of time served.[1] First Judicial District Court, Carson City; James E. Wilson, Judge.

Woods claims the district court erred by denying his petition. He further asserts the district court abdicated its duty to conduct an independent review by adopting the Attorney General's ex parte findings and conclusions of law. We disagree.
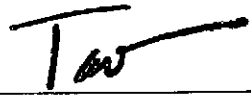
In his petition, Woods claimed the Nevada Department of Corrections (NDOC) failed to apply credit to his minimum term pursuant to NRS 209.4465. He asserted, because the crime he was convicted of provided for a sentencing range and did not mandate a specific minimum sentence that must be served before parole eligibility, NRS 209.4465(7)(b) did not apply to him. The district court concluded Woods was not entitled to relief and the NDOC may only apply statutory credits toward Woods'

_____

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

maximum term because Woods is currently serving a prison term for driving or being in actual physical control of a vehicle while being under the influence of an intoxicating liquor, a category B felony, in violation of NRS 484C.110(1) and NRS 484C.410(1), that was committed in 2011. *See* NRS 209.4465(8)(d). We conclude the district court did not err in denying this claim. We further conclude Woods has not demonstrated the district court abdicated its duty to conduct an independent review of his claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

_____, C.J.
Silver

_____, J.
Tao

_____, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
       Scott R. Woods
       Attorney General/Carson City
       Carson City Clerk