

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DENNIS WALTER MYERS,
Appellant,
vs.
ISIDRO BACA, WARDEN,
Respondent.

No. 70852

FILED

FEB 22 2017

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

ORDER OF AFFIRMANCE

Appellant Dennis Myers appeals from an order of the district court denying his postconviction petition filed on May 31, 2016.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.


Myers claims the district court erred by denying his petition. In his petition, Myers claimed he was entitled to have statutory credits deducted from his parole eligibility each month. The district court denied Myers' petition, finding Myers is not entitled to have credits deducted from his parole eligibility date. Specifically, the district court found that NRS 209.4465(8) exempts application of credit earned pursuant to NRS 209.4465(1) from applying towards eligibility for parole or reducing Myers' minimum term because the conduct giving rise to his conviction occurred on or about June 30, 2015, and he was convicted of a category B felony. We conclude the district court did not err by finding Myers is not entitled


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

to have the credit applied toward his eligibility for parole or deducted from his minimum sentence. See NRS 209.4465(8). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James Todd Russell, District Judge
Dennis Walter Myers
Attorney General/Carson City
Carson City Clerk