

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BAY JOHNSON,
Appellant,
vs.
ISIDRO BACA, WARDEN; AND THE
STATE OF NEVADA,
Respondents.

No. 71205

FILED

APR 19 2017

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

ORDER OF AFFIRMANCE

Appellant Bay Johnson appeals from a district court order denying the postconviction petition for a writ of habeas corpus he filed on June 8, 2016.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.


Johnson claims the district court erred by denying his petition in which he claimed the Nevada Department of Corrections was violating his due process and equal protection rights by not applying his good-time and work-time credits to his minimum sentence as required by NRS 209.4465. The district court denied Johnson's petition after finding he was not entitled to have credits deducted from his minimum sentence because he committed his crime after NRS 209.4465 was amended in 2007 and NRS 209.4465(8)(d) excludes category B felons like Johnson from receiving credit toward their minimum sentence under NRS 209.4465. We conclude the district court did not err in finding Johnson was not entitled to have

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

good-time and work-time credits applied to 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 E. Wilson, District Judge
Bay Johnson
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk