IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JEREMY EVAN SIGAL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71904

FILED

OCT 11 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jeremy Evan Sigal appeals from a district court order denying his motion and supplement for jail time credit and an amended judgment of conviction.[1] Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Sigal sought 164 days' presentence credit in his motion filed on October 17, 2016. "[A] claim for presentence credit is a challenge to the validity of the judgment of conviction and sentence" that must be raised "on direct appeal or in a post-conviction petition for a writ of habeas corpus in compliance with the procedural requirements of NRS Chapter 34." *Griffin v. State*, 122 Nev. 737, 744, 137 P.3d 1165, 1169-70 (2006).
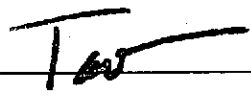
The district court found that Sigal did not file a direct appeal, his motion did not comply with the procedural requirements of NRS 34.735, and, even if his motion was construed as a postconviction habeas petition, it would be procedurally barred because it was untimely, successive, and did not allege good cause sufficient to overcome the procedural default.

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[1]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).

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The district court's findings are supported by the record on appeal, and we conclude it did not err by denying Sigal's motion and supplement for jail time credit and an amended judgment of conviction. *See* NRS 34.726(1); NRS 34.735; NRS 34.810(2); *State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

                                      , C.J.
Silver

                                      , J.
Tao

                                      , J.
Gibbons

cc: Hon. Kathleen E. Delaney, Judge
       Jeremy Evan Sigal
       Attorney General/Carson City
       Clark County District Attorney
       Eighth District Court Clerk