

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILLIE CLIFTON CARTER,  
Appellant,  
vs.  
ISIDRO BACA, WARDEN,  
Respondent.

No. 71247

**FILED**

MAY 16 2017

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

*ORDER OF AFFIRMANCE*

Willie Clifton Carter appeals from a district court order granting the State's motion to dismiss his June 24, 2016, postconviction petition for a writ of habeas corpus.<sup>1</sup> First Judicial District Court, Carson City; James Todd Russell, Judge.

In his petition, Carter claimed NRS 209.4465 required application of his statutory good time credits to his minimum term of imprisonment. The district court dismissed the petition after finding the application of Carter's good time credits was governed by NRS 209.446 and not by NRS 209.4465.


Carter claims the district court erred by using the date he committed his crime, instead of the date he was sentenced, to determine which statute governs his statutory credit allowance. The plain language of NRS 209.443(1), NRS 209.446(1), and NRS 209.4465(1) demonstrates the applicability of a statute governing credits for good time is based on the date the offender committed his crime. Carter committed his crime on

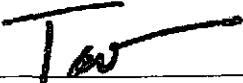
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

June 8, 1997. Because NRS 209.446(1) applies to offenders who committed their crimes "on or after July 1, 1985, but before July 17, 1997," we conclude the district court correctly determined that Carter's statutory credit allowance was governed by NRS 209.446, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. James Todd Russell, District Judge  
Willie Clifton Carter  
Attorney General/Carson City  
Carson City Clerk