

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DANIEL JAY MAXFIELD, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72502

FILED

OCT 11 2017

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

ORDER OF AFFIRMANCE

Daniel Jay Maxfield, Jr., appeals from an order of the district court denying his December 8, 2016, postconviction petition for a writ of habeas corpus.¹ First Judicial District Court, Carson City; James E. Wilson, Judge.

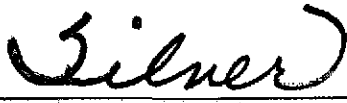
Maxfield contends the Nevada Department of Corrections (NDOC) has improperly calculated the amount of credits he forfeited when his parole was revoked. See NRS 213.1519 (limiting forfeiture to credits previously earned). In his petition below, he claimed only that NDOC showed a forfeiture of 502 days. He did not indicate the number of days' credit he had earned prior to the revocation of his parole. He thus failed to specify facts that, if true, would have entitled him to relief.² Cf. *Hargrove*

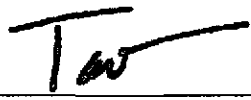
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

²In his informal brief, Maxfield claims he had "only . . . 260 or so days" credit to forfeit. Not only does he not explain how he arrived at this estimate, but it is new argument and we do not consider it on appeal in the first instance. See *Rimer v. State*, 131 Nev. ___, ___ n.3, 351 P.3d 697, 713 n.3 (2015).

v. State, 100 Nev. 498, 502-03 686 P.2d 222, 225 (1984). Further, Maxfield failed to provide any documentation to support his claim. Accordingly, we cannot conclude the district court erred in denying his claim, and we

ORDER the judgment of the district court AFFIRMED.³


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
Daniel Jay Maxfield, Jr.
Attorney General/Carson City
Carson City Clerk

³We have reviewed all documents Maxfield has filed in this matter, and we conclude no relief based upon those submissions is warranted. To the extent Maxfield has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance.