

IN THE SUPREME COURT OF THE STATE OF NEVADA

COREY MATTHEW CAMPANA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 70287

FILED

SEP 16 2016

ORDER OF AFFIRMANCE

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

This is a pro se appeal from an order dismissing a postconviction petition for a writ of habeas corpus.<sup>1</sup> Seventh Judicial District Court, White Pine County; Gary Fairman, Judge.

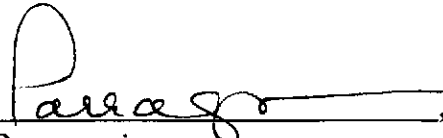
Appellant Corey Campana filed a postconviction petition for a writ of habeas corpus in the district court challenging the Nevada Department of Correction's failure to award him 60 days of meritorious credit for earning a general educational development (GED) certificate. Based upon our review of the record on appeal, we conclude that the district court did not err in dismissing the petition because Campana was ineligible for the credits sought. An incarcerated person who has previously graduated from high school is not eligible to obtain a GED certificate. See NRS 388H.020(5) (restricting "general educational development" to persons who have not graduated from high school); NRS 390.055(2)(c) (limiting those persons eligible to take high school equivalency examinations to those persons who have not graduated from high school because these examinations are substitutes for completing a

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<sup>1</sup>Having considered the pro se brief filed by appellant, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. See NRAP 34(f)(3).

high school education). Thus, it follows that credits may not be earned pursuant to NRS 209.4465 for obtaining a GED certificate when the incarcerated person has already graduated from high school. Campana acknowledges that he was a high school graduate at the time he obtained his GED certificate while incarcerated.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Gary Fairman, District Judge  
Corey Matthew Campana  
Attorney General/Carson City  
White Pine County District Attorney  
Attorney General/Ely  
White Pine County Clerk

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<sup>2</sup>The fact that Campana was allowed to pursue a GED certificate, despite his ineligibility, does not alter this conclusion.