

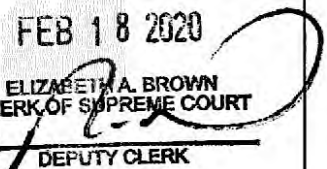
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TAMAS HORVATH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77959-COA

FILED

FEB 18 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Tamas Horvath appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.


Horvath argues the district court erred by denying his March 4, 2016, petition for a writ of habeas corpus and later-filed supplement. He specifically argues the district court abused its discretion by denying his request to modify his sentence.

Horvath was convicted of invasion of the home while in possession of a deadly weapon, discharging a firearm at or into a structure, attempted invasion of the home, and resisting a public officer with the use of a firearm. Horvath had also been convicted of a federal court offense and was to serve a prison term for that offense. At the sentencing hearing, the parties requested the district court to impose Horvath's state sentence concurrent with his federal sentence. Horvath's counsel informed the sentencing court that the federal prison may not actually permit Horvath to serve his sentence concurrently with his state sentence. Horvath's counsel informed the sentencing court that it will depend on whether his federal court attorney is successful in getting Horvath housed in a federal

supports the district court's findings. Therefore, we conclude the district court did not err by denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Kenneth C. Cory, District Judge
Anthony L. Abbatangelo
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk