

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DONALD ROBIN BARREN,
Appellant,
vs.
JAMES DZURENDA, DIRECTOR; AND
JERRY HOWELL, WARDEN,
Respondents.

No. 80336-COA

FILED

JUL 30 2020

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

ORDER OF AFFIRMANCE

Donald Robin Barren appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on November 26, 2018. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Barren argues the district court erred by denying his claim that the Nevada Department of Corrections (NDOC) has failed to properly apply his statutory good time and work credits to his minimum term. The district court found that this claim was moot because he had already been granted a parole hearing, which is the only relief Barren could receive. *See Niergarth v. Warden*, 105 Nev. 26, 768 P.2d 882 (1989); *Johnson v. Dir., Nev. Dep't of Prisons*, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989). The record supports the findings of the district court, and we conclude the district court did not err by denying this claim.


Barren also argues the district court erred by denying his claim that NDOC failed to properly apply his statutory good time and work credits to his maximum term. The district court found NDOC has properly calculated Barren's statutory good time and work credits and has applied

them to his life term. The record supports the finding of the district court, and we conclude the district court did not err by denying this claim.

Finally, Barren claims the district court erred by denying his assertion that the parole board erred by rejecting his request for parole. The district court concluded this claim was outside the scope of claims permissible in a postconviction petition for a writ of habeas corpus challenging the computation of time served. We conclude the district court did not err by denying this claim. See NRS 34.720; NRS 34.724(1). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
Donald Robin Barren
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk