

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANGELO MARTEZ TAYLOR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81135-COA

FILED

DEC 08 2020

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

ORDER OF AFFIRMANCE

Angelo Martez Taylor appeals from a judgment of conviction, pursuant to a guilty plea, of one count of child abuse, neglect, or endangerment resulting in substantial bodily harm and one count of child abuse, neglect, or endangerment. Eighth Judicial District Court, Clark County; David M. Jones, Judge.

Taylor argues the district court abused its discretion by refusing to award presentence credit for time he served in federal custody after he was arrested but before he was convicted in the instant case. We review a district court's sentencing decision for abuse of discretion. *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009).

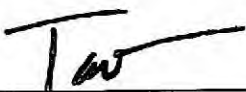
A district court must credit a sentence "for the amount of time which the defendant has actually spent in confinement before conviction, *unless his confinement was pursuant to a judgment of conviction for another offense.*" NRS 176.055(1) (emphasis added). Additionally, NRS 176.055 "cannot be interpreted to grant our judiciary the right to give credit for time spent in federal custody for non-state purposes." *McMichael v. State*, 94 Nev. 184, 194, 577 P.2d 398, 404 (1978), *overruled on other grounds by Meador v. State*, 101 Nev. 765, 711 P.2d 852 (1985), and *abrogated on*

other grounds by Braunstein v. State, 118 Nev. 68, 40 P.3d 413 (2002). Accordingly, NRS 176.055(1) limits presentence credit to time that is served solely due to State charges.

The district court awarded Taylor 179 days' presentence credit for time he served while solely in state custody. Taylor was not entitled to presentence credit for time he served on his federal offense. Taylor did not demonstrate he was entitled to any additional credit toward his sentence. Accordingly, we conclude Taylor failed to demonstrate the district court abused its discretion when determining the credit for time served, and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. David M. Jones, District Judge
Monique A. McNeill
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk