


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ADRIAN PAUL WORKS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82304-COA

FILED

JUN 25 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Adrian Paul Works appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on July 22, 2020. Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

In his petition, Works claimed he was entitled to additional presentence credits. We conclude the district court did not err by denying the petition because the claim was outside the scope of a postconviction petition for a writ of habeas corpus challenging a judgment of conviction based upon a guilty plea. *See* NRS 34.810(1)(a); *see also Griffin v. State*, 122 Nev. 737, 745, 137 P.3d 1165, 1170 (2006) (“Because the scope of claims that may be raised in a habeas corpus petition is limited, the claim should be presented as an ineffective assistance of counsel claim.” (footnote omitted)). Further, to the extent Works raises new argument in his informal brief, we decline to consider it in the first instance on appeal. *See*

McNelson v. State, 115 Nev. 396, 415-16, 990 P.2d 1263, 1275-76 (1999).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Mary Kay Holthus, District Judge
Adrian Paul Works
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk