

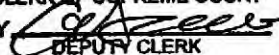
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LOREN VINCENT WOODS,  
Appellant,  
vs.  
PERRY RUSSELL, WARDEN,  
Respondent.

No. 82862-COA

**FILED**

OCT 26 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Loren Vincent Woods appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus. First Judicial District Court, Carson City; James Todd Russell, Judge.

In his March 19, 2021, petition, Woods first claimed he was entitled to additional work credits for times he was willing to work but was unable to do so because of his housing assignment in administrative segregation. We conclude the district court properly determined Woods was not entitled to work credits for work he did not actually perform. See NRS 209.4465(2); *Vickers v. Dzurenda*, 134 Nev. 747, 748, 433 P.3d 306, 308 (Ct. App. 2018). Therefore, the district court properly denied this claim.

Second, Woods claimed that the failure to award him work credits for the time he was unable to work violated the Equal Protection Clause because he is treated differently from inmates housed in the general population. This court has addressed a similar claim and found it to lack merit. See *Vickers*, 134 Nev. at 748-51, 433 P.3d at 308-10. We therefore conclude the district court did not err by denying this claim.

Third, Woods claimed NDOC violated his due process rights when it improperly removed work credits from his minimum parole

21-30799

eligibility date and his expiration date. Inmates may have a liberty interest in credits "provided they have earned the credits under applicable state statutes and procedures." *Bergen v. Spaulding*, 881 F.2d 719, 721 (9th Cir. 1989). Woods failed to demonstrate that NDOC removed work credits he had earned. Rather, NDOC had provided Woods with projected parole eligibility and expiration dates that were calculated based on an assumption that he would earn work credits. When he failed to earn the credits, NDOC adjusted the projected dates because, as stated previously, Woods was not entitled to credit for work he did not actually perform. And because Woods has no protected liberty interest in credits he has not earned, he failed to demonstrate a violation of his right to due process. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. James Todd Russell, District Judge  
Loren Vincent Woods  
Attorney General/Carson City  
Carson City Clerk