

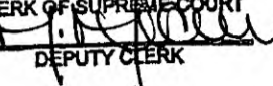
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAMON SAMERI CHANEY, A/K/A
DAMON SAMARI CHANEY,
Appellant,
vs.
WILLIAM REUBART, WARDEN,
Respondent.

No. 86321-COA

FILED

NOV 16 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Damon Sameri Chaney appeals from an order of the district court dismissing without prejudice a postconviction petition for a writ of habeas corpus challenging the computation of time served. Seventh Judicial District Court, Lincoln County; Gary Fairman, Judge.

In his petition, filed on October 5, 2022, Chaney sought the application of statutory credits to his minimum sentence. The State moved to dismiss the petition because Chaney failed to first exhaust his administrative remedies as required by NRS 34.724(1), (2)(c). In his response to the State's motion to dismiss, Chaney suggested that he had attempted to exhaust his administrative remedies, but the documentation he provided demonstrated only that he had asked questions regarding other issues and not the application of statutory credits to his minimum sentence.

Accordingly, we conclude the district court did not err by dismissing without prejudice Chaney's petition, *see* NRS 34.810(2),¹ and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Gary Fairman, District Judge
Damon Sameri Chaney
Attorney General/Carson City
Lincoln County District Attorney
Attorney General/Ely
Lincoln County Clerk

¹The subsections within NRS 34.810 were recently renumbered. We note the substance of the subsection cited herein was not altered. *See* A.B. 49, 82d Leg. (Nev. 2023).