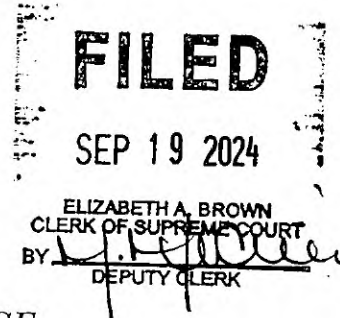


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

YOUNIS ANTOUNE RAJU WILEY,
Appellant,
vs.
WARDEN HDSP; AND THE STATE OF
NEVADA,
Respondents.

No. 87753-COA



ORDER OF AFFIRMANCE

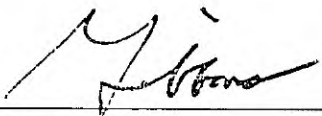
Younis Antoune Raju Wiley appeals from a district court order dismissing and denying a postconviction petition for a writ of habeas corpus challenging the computation for time served filed on October 2, 2023.¹ Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

In his petition below, Wiley neither alleged nor demonstrated that he had exhausted his administrative remedies prior to filing the petition. *See* NRS 34.724(1). Thus, we conclude the district court did not err by dismissing his petition without prejudice. *See* NRS 34.810(2) (providing that the “court shall dismiss a [habeas] petition that challenges the computation of time served . . . without prejudice if the court determines


¹Wiley’s pleading was titled as a “petition of writ of habeas corpus (time calculation) in accordance with NRS 209.4465(8)(9) AB 271.” The district court properly construed it as a postconviction petition for a writ of habeas corpus challenging the computation of time served under NRS Chapter 34 as Wiley’s petition requested the proper number of credits be applied to his sentence. *See* NRS 34.724(2)(c) (providing that a postconviction petition for a writ of habeas corpus under this statute is the sole remedy available to challenge the computation of time served).

that the petitioner did not exhaust all available administrative remedies to resolve such a challenge as required by NRS 34.724").² Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Erika D. Ballou, District Judge
Younis Antoune Raju Wiley
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²In his petition, Wiley sought the application of credits to his minimum sentence pursuant to Assembly Bill 271 (A.B. 271). We note that A.B. 271 was never passed into law and thus would not provide a basis for relief.

To the extent Wiley argues it was error for the district court to refer to the Nevada Department of Corrections' administrative regulations, specifically AR 740, we conclude it was not error for the district court to reference the appropriate administrative regulation that Wiley was required to exhaust.