

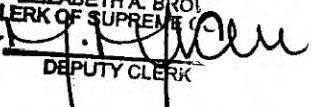
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ISIAH TAYLOR,
Appellant,
vs.
WARDEN BEAN,
Respondent.

No. 88819-COA

FILED

DEC 16 2024

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

ORDER OF AFFIRMANCE

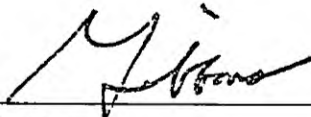
Isiah Taylor appeals from a district court order denying a postconviction petition for a writ of habeas corpus challenging the computation of time served, filed on March 20, 2024. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

In his petition, Taylor sought the application of statutory credits to his sentence. Taylor neither alleged nor demonstrated that he had exhausted his administrative remedies before filing the petition. *See* NRS 34.724(1) (“Any person . . . who, after exhausting all available administrative remedies, claims that the time the person has served pursuant to the judgment of conviction has been improperly computed may file a petition . . . to challenge the computation of time that the person has served.”); *see also* NRS 34.724(2)(c). Therefore, we conclude the district court did not err by denying Taylor’s petition.¹ *See* NRS 34.810(2)

¹The district court erred by denying the petition on the merits because Taylor had not demonstrated that he had exhausted all available administrative remedies before filing the petition. Nevertheless, the district court properly denied the requested relief because the petition should have been dismissed without prejudice. *See* NRS 34.810(2); *Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result

(providing “[t]he court shall dismiss a petition that challenges the computation of time served . . . without prejudice if the court determines 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

will not be reversed simply because it is based on the wrong reason). Nothing in this order should be construed as precluding Taylor from filing a postconviction petition for a writ of habeas corpus challenging the computation of time served after all available administrative remedies have been exhausted.

²To the extent Taylor challenges the district court’s failure to hold a hearing on his petition, we conclude the district court did not err by denying his petition without a hearing. To the extent Taylor presents claims in his briefing on appeal that were not previously presented in the proceedings below, we decline to consider them in the first instance. *See State v. Wade*, 105 Nev. 206, 209 n.3, 772 P.2d 1291, 1293 n.3 (1989).

cc: Hon. Erika D. Ballou, District Judge
Isiah M. Taylor
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Eighth District Court Clerk