

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARIC JOHNSON,
Appellant,
vs.
HIGH DESERT STATE PRISON; AND
WARDEN BEAN,
Respondents.

No. 89026-COA

FILED

DEC 16 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

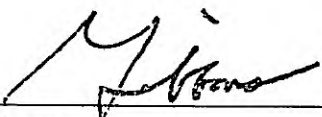
Aric Johnson appeals from a district court order denying a postconviction petition for a writ of habeas corpus challenging the computation of time served, filed on January 11, 2024. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

In his petition, Johnson sought the application of statutory credits to his minimum term of imprisonment pursuant to NRS 209.4465. Johnson 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 Johnson’s petition.¹ *See* NRS 34.810(2) (providing “[t]he court shall

¹The district court erred by denying the petition on the merits because Johnson had not demonstrated that he had exhausted all available administrative remedies before filing the petition. Nevertheless, the

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"). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Erika D. Ballou, District Judge
Aric E. Johnson
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Eighth District Court Clerk

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 will not be reversed simply because it is based on the wrong reason). Nothing in this order should be construed as precluding Johnson 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.