


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TEGRIN SHELLEY,
Appellant,
vs.
NEVADA ATTORNEY GENERAL,
Respondent.

No. 88394-COA

FILED

DEC 30 2024

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

ORDER OF AFFIRMANCE

Tegrin Shelley appeals from a district court order denying a postconviction petition for a writ of habeas corpus challenging the computation of time served filed on December 19, 2023. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

In his petition, Shelley alleged that the Nevada Department of Corrections incorrectly calculated the computation of his parole eligibility, projected expiration, and mandatory parole release dates.¹ Shelley failed to demonstrate that he had exhausted his administrative remedies prior to

¹Shelley asserted in his petition he was “not necessarily” challenging the computation of presentence credit he was awarded at sentencing. We note any such challenge would need to be raised in a separate postconviction petition for a writ of habeas corpus. *See* NRS 34.738(3); *see also Griffin v. State*, 122 Nev. 737, 746, 137 P.3d 1165, 1170 (2006) (providing that “a claim for presentence credit is a challenge to the validity of the judgment of conviction and sentence” and not a challenge to the computation of time served).

filing the petition.² Therefore, we conclude the district court did not err by denying Shelley's petition.³ See NRS 34.724(1), (2)(c). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

²Shelley attached to his petition exhibits which purportedly showed that he attempted to grieve his computation challenge. However, the exhibits reflect that prison officials rejected his grievance because it failed to comply with prison regulations. Thus, Shelley's exhibits do not demonstrate he first exhausted all available administrative remedies before filing the instant petition.

³The district court erred by denying the petition on the merits because Shelley 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 will not be reversed simply because it is based on the wrong reason). Nothing in this order should be construed as precluding Shelley 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.

cc: Hon. Erika D. Ballou, District Judge
Tegrin Shelley
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk