


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ELTON LASKA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88684-COA

FILED
FEB 25 2025
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Elton Laska appeals from a district court order denying a petition for a writ of mandamus filed on November 29, 2023.¹ Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.


Laska argues the district court erred by denying his petition without first conducting an evidentiary hearing. In his petition, Laska contended the method for determining the credit that should be applied toward an offender's sentence had been revised by Senate Bill (S.B.) 413 and that those revisions should apply to him.² The district court concluded Laska was challenging his computation for time served and denied the petition because Laska had a plain, speedy, and adequate remedy in the ordinary course of law through a postconviction habeas petition and because


¹Laska alternatively sought a writ of prohibition but does not provide cogent argument regarding that relief. Therefore, we need not consider it. *See Maresca v. State*, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987). Further, Laska indicated in his notice of appeal that he was appealing the denial of his motion for transport. However, the record on appeal does not reflect that a motion for transport was filed in the district court nor does it show an order resolving any such motion.


²S.B. 413 was passed by the Nevada Legislature in 2023.

S.B. 413 does not become effective for calculation purposes until July 1, 2025. Consistent with our opinion in *Smith v. State*, 140 Nev., Adv. Op. 81, 561 P.3d 1079 (Ct. App. 2024), we conclude the district court did not err by denying Laska's petition without first conducting an evidentiary hearing, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

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