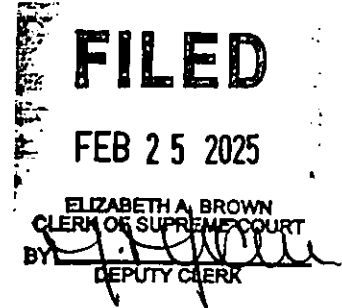


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL HUNTER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 88298-COA



ORDER OF AFFIRMANCE

Michael Hunter, Jr., appeals from a district court order denying a petition for a writ of mandamus filed on October 9, 2023.<sup>1</sup> Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

Hunter argues the district court erred by denying his petition without first conducting an evidentiary hearing. In his petition, Hunter 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.<sup>2</sup> The district court concluded Hunter was challenging his computation for time served and denied the petition because Hunter had a plain, speedy, and adequate remedy in the ordinary course of law through a postconviction habeas petition and because


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<sup>1</sup>Hunter 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, Hunter 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.


<sup>2</sup>S.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 Hunter'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  
Michael Hunter, Jr.  
Attorney General/Carson City  
Clark County District Attorney  
Attorney General/Las Vegas  
Eighth District Court Clerk