

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRYAN KEITH HAMPTON,

No. 38502

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

DEC 13 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's motion and order for amended judgment of conviction to include presentence jail credits.

On December 13, 2000, the district court convicted appellant, pursuant to a guilty plea, of conspiracy to commit burglary in district court case no. C166927. The district court sentenced appellant to serve a term of one year flat time in the Clark County Detention Center.

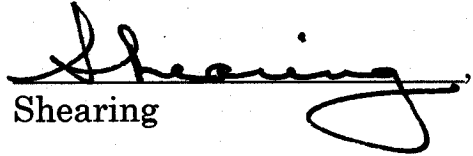
On August 10, 2001, appellant filed a proper person motion and order for amended judgment of conviction to include presentence jail credits. The State opposed the motion. On August 27, 2001, the district court denied appellant's motion. This appeal followed.

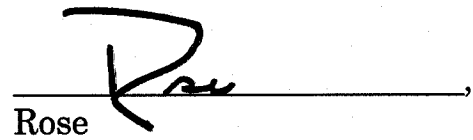
In his motion, appellant contended that he was entitled to 68 days of jail time credit for the time he spent incarcerated from April 1, 2000 to June 7, 2000 in district court case no. C166927. We conclude that the district court did not err in denying appellant's motion. Pursuant to NRS 176.055(2)(b), a defendant who is convicted of a subsequent offense which was committed while he was on parole is not eligible for any credit on the sentence for the subsequent offense for the time he spent in confinement.¹ Appellant was on parole from another district court case when he was arrested for the present charge of conspiracy to commit burglary. Thus, appellant is not entitled to any jail time credit in district court case no. C166927.


¹See NRS 177.055(2)(b).

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.² Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Lee A. Gates, District Judge
Attorney General/Carson City
Clark County District Attorney
Bryan Keith Hampton
Clark County Clerk

²See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975), cert. denied, 423 U.S. 1077 (1976).