



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GEORGE ANTHONY TOLIVER,
Appellant,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS,
Respondent.

No. 92143-COA

ORDER OF AFFIRMANCE

George Anthony Toliver appeals from a district court order denying a “petition for writ of habeas corpus (prison disciplinary proceedings)” filed on July 25, 2025. Eighth Judicial District Court, Clark County; Hon. Monica Trujillo, Judge.

In his petition, Toliver alleged that the Nevada Department of Corrections (NDOC) violated his right to due process by finding him guilty of violating MJ54 (use of intoxicants) following prison disciplinary proceedings despite insufficient evidence that he consumed alcohol. The NDOC moved to dismiss the petition, alleging that Toliver failed to demonstrate a cognizable claim for habeas relief where he did not forfeit statutory good time credits as the result of the disciplinary proceedings. Toliver filed a response, contending that the disciplinary proceedings resulted in his losing his job, such that he was no longer earning work credits. The district court denied Toliver’s petition because his claims were not cognizable in a postconviction habeas petition as Toliver did not demonstrate he forfeited statutory good time credits.

Because Toliver did not forfeit any earned statutory good time credits as a result of prison disciplinary proceedings, we conclude the district court correctly determined that Toliver’s claims were not cognizable in a

petition for a writ of habeas corpus. *See* NRS 34.724(1) (limiting postconviction habeas petitions to claims challenging the conviction, sentence, or computation of time served); *Bowen v. Warden*, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984) (holding “a petition for writ of habeas corpus may challenge the validity of current confinement, but not the conditions thereof”); *see also Vickers v. Dzurenda*, 134 Nev. 747, 748, 433 P.3d 306, 308 (Ct. App. 2018) (holding that a prisoner who does not work while in prison is not entitled to work credits). Therefore, we conclude the district court did not err by denying Toliver’s petition.

To the extent Toliver makes an independent challenge as to the computation of time served because he was unable to earn work credits, that claim is barred because he did not allege sufficient facts that he had exhausted his administrative remedies. *See Hall v. Oliver*, 141 Nev., Adv. Op. 70, 584 P.3d 161, 165 (Ct. App. 2025); *see also* NRS 34.724(1). Therefore, we conclude Toliver was not entitled to relief, and we

ORDER the judgment of the district court AFFIRMED.



Bulla, C.J.



Gibbons, J.



Westbrook, J.

cc: Hon. Monica Trujillo, District Judge
Attorney General/Carson City
Attorney General/Las Vegas
George Anthony Toliver
Eighth Judicial District Court Clerk